

## Administrative Record

Hawaii State Implementation Plan Revision  
National Ambient Air Quality Standards  
2008 Ozone  
2010 Nitrogen Dioxide

Public Comment Period:  
February 19, 2014 to March 25, 2014

Clean Air Branch  
Hawaii Department of Health



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**Summary of Hawaii's Infrastructure SIP Revision for the  
National Ambient Air Quality Standards for  
2008 Ozone and 2010 Nitrogen Dioxide  
Administrative Record for Public Review**

**Introduction**

The Hawaii Department of Health (DOH) proposes to certify that the existing Hawaii applicable State Implementation Plan (SIP) adequately meets the "infrastructure" requirements of Clean Air Act (CAA) section 110(a)(2) for the national ambient air quality standards (NAAQS) for 2008 Ozone (O<sub>3</sub>) and 2010 Nitrogen Dioxide (NO<sub>2</sub>) with the exception of specific provisions currently addressed under a Federal Implementation Plan (FIP). The Proposed Infrastructure SIP Certification of Adequacy (**Attachment 1**) demonstrates how the DOH, through its SIP and state programs, meets each of the applicable requirements of section 110(a)(2).

**Background**

The federal CAA sections 110(a)(1) and (2) mandate that within three years after the promulgation or revision of a NAAQS, states must revise their SIP to show that they have the authority and programs needed to implement, maintain, and enforce that standard. After a public comment period and, if requested, a public hearing, the SIP revision is submitted to the U.S. Environmental Protection Agency (EPA). The DOH is conducting a public hearing to solicit testimony.

EPA issued a revised NAAQS for the two subject pollutants as follows:

Pollutant	Federal Register Final Rule	SIP Revision Deadline
O <sub>3</sub>	73 FR 16436, March 27, 2008	March 12, 2011
NO <sub>2</sub>	75 FR 6474, February 9, 2010	January 22, 2013

The initial Hawaii SIP was approved by EPA (with certain exceptions) on May 31, 1972, 37 FR 10842, 10860 (May 31, 1972), and has since been revised and expanded a number of times, most recently on February 21, 2013, 78 FR 11984.

**Submittal**

This proposed Infrastructure SIP submittal consists of the following documents:

- 1) A Proposed Certification of Adequacy table (**Attachment 1**) that explains how the applicable SIP, with the submitted revisions, would satisfy the infrastructure SIP elements of CAA, Section 110(a)(2).
- 2) A Proposed List of Provisions Satisfying Hawaii's Infrastructure SIP. (**Attachment 2**). The proposed list includes one section from the Hawaii Administrative Rules.
- 3) Various reference documents, including applicable sections of HAR 11-60.1, Hawaii Revised Statutes Chapters 84 and 342B, DOH organizational charts, and recent ambient air quality monitoring data.

In recent SIP submittals, DOH submitted one or more Technical Support Documents (TSD) to demonstrate that Hawaii does not significantly contribute to interstate transport of pollutants that impact nonattainment in, or interfere with maintenance by, any other state in accordance with CAA Section 110(a)(2)(D). In a November 19, 2012 memo from Assistant Administrator Gina McCarthy, EPA informed the Regional Air Directors of the ongoing litigation of the Cross-State Air Pollution Rule (CSPAR). Although the DOH believes that the subject pollutants would not show interstate impacts, due to the CSPAR litigation, we are not submitting a TSD addressing interstate and international pollutant transport in this infrastructure SIP.

### **Public Participation**

A copy of the notice for public comments, scheduled to be published on February 19, 2014 in newspapers statewide, is included in this Administrative Record. It provides details on how to submit comments, attend the public hearing, and view documents.

Electronic (PDF) copies of the submittal and supporting documents, including HAR 11-60.1, are available on the Clean Air Branch website:

<http://hawaii.gov/health/environmental/air/cab/index.html>

The complete text for Hawaii Revised Statutes (HRS) Chapters 84 and 342B can viewed on the Hawaii Legislature website:

<http://www.capitol.hawaii.gov/hrscurrent/>

**NOTICE OF PUBLIC HEARING and REQUEST FOR PUBLIC COMMENTS  
DEPARTMENT OF HEALTH  
STATE OF HAWAII**

**(Docket No. 14-CA-PA-01)**

Pursuant to Hawaii Revised Statutes (HRS), Section 342B-13, and in accordance with Title 40 of the Code of Federal Regulations (CFR) Section 51.102, the Hawaii Department of Health (DOH) will accept written comments and hold a public hearing on Hawaii's draft Infrastructure State Implementation Plan (SIP) submittal to address the 2008 Ozone and 2010 Nitrogen Dioxide National Ambient Air Quality Standards (NAAQS). The DOH plans to update the SIP with provisions from the current HRS, Chapter 342B, Air Pollution Control; and Hawaii Administrative Rules (HAR), Chapter 11-60.1, Air Pollution Control, in satisfying requirements of the Clean Air Act (CAA).

CAA Sections 110(a)(1) and (2) require that within three years of the promulgation of a new or revised NAAQS, a state must update its SIP to show that it has the authority and programs necessary to implement, maintain, and enforce the standard. The three-year deadline for the ozone standard was March 12, 2011 and January 22, 2013 for the nitrogen dioxide standard.

The current Hawaii SIP, which is codified in 40 CFR Part 52, Subpart M, satisfies some of the requirements of CAA section 110(a)(1) and (2) for the two standards. However, revisions are needed to update the SIP with Hawaii's current regulatory provisions.

The DOH plans to submit a proposed SIP revision to the U.S. Environmental Protection Agency (EPA) for the 2008 ozone and 2010 nitrogen dioxide standards. The submittal includes a Certification of Adequacy, which identifies HRS and HAR sections that meet the infrastructure SIP requirements, and other supporting documents.

A copy of the proposed Infrastructure SIP submittal and related materials may be reviewed at the following offices between 7:45 a.m. and 4:15 p.m., Monday through Friday, except for State holidays:

**Oahu:**

- Clean Air Branch, Department of Health  
919 Ala Moana Boulevard, Room 203, Honolulu, Hawaii 96814

**Hawaii:**

- Hawaii District Health Office, Department of Health  
1582 Kamehameha Avenue, Hilo, Hawaii

- Sanitation Branch, Keakealani Building, Department of Health  
79-1020 Haukapila Street, Room 113, Kealahou, Hawaii

**Maui:**

- Maui District Health Office, Department of Health  
54 High Street, Room 300, Wailuku, Maui

**Kauai:**

- Kauai District Health Office, Department of Health  
3040 Umi Street, Lihue, Kauai

**Molokai:**

- Molokai Department of Health  
65 Makaena Place, Kaunakakai, Molokai

In addition, a copy of the Infrastructure SIP submittal may be obtained by writing to the Oahu office shown above or by calling (808) 586-4200. Electronic versions (PDF) of the submittal and supporting documents are available online at:

<http://hawaii.gov/health/environmental/air/cab/index.html>

DOH is seeking public comments on the contents of the proposed Infrastructure SIP submittal to address which provisions should be incorporated into the applicable implementation plan.

Interested persons are invited to attend a public hearing to offer comments and recommendations on the proposed Infrastructure SIP submittal. Persons who wish to testify are asked to submit two copies of their testimony prior to or at the public hearing, although it is not a requirement to do so in order to testify at the hearing. The public hearing will be held on Oahu as follows:

Friday, March 21, 2014, at 2:30 p.m.  
919 Ala Moana Boulevard, 5<sup>th</sup> Floor Conference Room  
Honolulu, Hawaii

All comments on the draft infrastructure SIP must be in writing and received by the Oahu office of the Clean Air Branch by **4:30 p.m., March 25, 2014.**

Requests for auxiliary aids or services (e.g., sign language interpreter, large print) must be in writing and received by the Clean Air Branch at least ten days prior to the scheduled hearing.



Comments on the draft SIP and requests for auxiliary aids or services can be delivered or mailed to the Clean Air Branch's Oahu address provided above or submitted electronically to [cabmail@doh.hawaii.gov](mailto:cabmail@doh.hawaii.gov).

Director of Health



## Attachment 1

### Certification of Adequacy



**Hawaii State Implementation Plan Revision**  
**Certification of Adequacy – CAA Section 110(a)(2) Elements**  
**2008 Ozone (O<sub>3</sub>) National Ambient Air Quality Standard**  
**2010 Nitrogen Dioxide (NO<sub>2</sub>) National Ambient Air Quality Standard**

**Section 110(a)(2)(A): Enforceable Emission Limits and Other Control Measures**

*"include enforceable emission limitations and other control measures, means, or techniques (including economic incentives such as fees, marketable permits, and auctions of emissions rights), as well as schedules and timetables for compliance, as may be necessary or appropriate to meet the applicable requirements of this chapter"*

**Hawaii Program**

**Statutory provisions relevant to this element:**

HRS §342B-3 General functions, duties, and powers of the director<sup>1</sup>

HRS §342B-11 Prohibition

HRS §342B-12 Specific powers of the director

HRS §342B-21 Specific functions, duties, and powers of the director

Hawaii Revised Statutes 342B-3, 342B-11, 342B-12, and 342B-21 give the department<sup>2</sup> the authority and duty to establish rules to prevent, control, and abate air pollution and the emission of air pollutants<sup>3</sup> in the State. The director may:

1. Establish ambient air quality standards for the State;
2. Establish and administer any permit program;
3. Establish by rule the control of open burning, fugitive dust, and visible emissions;
4. Establish by rule the control of vehicular smoke emission and require the installation, use, and proper operation and maintenance of air pollution control equipment for motor vehicles;
5. Establish and administer a program of inspection and testing of all modes of transportation except aircraft, to enforce compliance with applicable emission limitations when necessary and practicable, and to control or limit the operation of motor vehicular and other modes of transportation when the director finds pursuant to standards established by rules such modes of transportation are producing or pose an immediate danger of producing unacceptable levels of air pollution or when such control is necessary to meet applicable ambient air quality standards;
6. Establish by rule other specific areas for control of air pollution, thereby allowing for varying conditions.

**Regulatory provisions relevant to this element:**

HAR §11-60.1-1 Definitions

HAR §11-60.1-2 Prohibition of air pollution

This rule specifies that no person shall engage in any activity which causes air pollution or causes or allows the emission of any regulated or hazardous air pollutant without first securing approval in writing from the director.

HAR §11-60.1-15 Reporting of equipment shutdown

This provision requires prior notification of the intent to shutdown air pollution control equipment but does not exempt sources from enforcement action if emissions occur as a result of a planned shutdown.

### **Section 110(a)(2)(A): Enforceable Emission Limits and Other Control Measures**

#### HAR §11-60.1-16 Prompt reporting of deviations

This requires sources to submit prompt notification if excess emissions occur as a result of the breakdown or malfunction of any emission unit, air pollution control equipment or related equipment but does not exempt sources from enforcement action if such excess emissions occur.

#### HAR §11-60.1-31 Applicability (This is the initial submission of HAR §11-60.1-31 for incorporation into Hawaii's SIP.)

#### HAR §11-60.1-32 Visible Emissions

This sets visible emission limitations on stationary sources.

#### HAR §11-60.1-34 Motor vehicle

Restricts the emission of visible smoke from gasoline or diesel-powered motor vehicles, the amount of time and location an engine may idle, and prohibits the dismantling or failure to maintain or operate any equipment or feature of a motor vehicle air pollution control system or mechanism that is required by the provisions of the Clean Air Act.

#### HAR §11-60.1-40 Volatile organic compound water separation

Requires vapor loss control device installation and operation on single or multiple compartment volatile organic compound water separators.

#### HAR §11-60.1-41 Pump and compressor requirements

Requires seal installation on pumps and compressors handling volatile organic compounds.

#### HAR §11-60.1-42 Waste gas disposal

Prohibits volatile organic gas stream emissions without use of an appropriate control device.

#### HAR §11-60.1-51 [Open Burning] Definitions (Amended January 13, 2012)

#### HAR §11-60.1-53 Agricultural burning: permit applicability (Amended January 13, 2012)

Requires that any person engaged in any agricultural operation, forest management, or range improvement first obtain an agricultural burning permit prior to conducting an agricultural burn. Any person failing to comply with the terms and conditions of the permit or this chapter is subject to penalties and remedies provided for in sections §342B-42, §342B-44, §342B-47, and §342B-48.

#### HAR §11-60.1-54 Agricultural burning permit application (Amended January 13, 2012)

#### HAR §11-60.1-56 Agricultural burning: recordkeeping and monitoring

Requires permittees to monitor and maintain records of each agricultural burn conducted in accordance with the permit.

#### HAR §11-60.1-90 Permit

Requires that all covered source permits consider and incorporate emission limitations and standards, including operational requirements and limitations to assure compliance with all applicable requirements at the time of permit issuance;

- Requires the installation of devices for the measurement or analysis of source emissions;
- Requires source emissions tests to determine compliance with terms and conditions of the covered source permit and applicable requirements;
- Requires recordkeeping and reporting requirements to assure compliance with all terms and conditions of the permit.

<sup>1</sup> As defined in HRS §342B-1, the "director" means the director of health

<sup>2</sup> As defined in HRS §342B-1, the "department" means the department of health

<sup>3</sup> The statutory definition of "air pollutant" has the same meaning as in the Clean Air Act, 42 U.S.C. §7602(g)

<b>Section 110(a)(2)(B): Ambient air quality monitoring, compilation, analysis and reporting</b>
<p><i>“ provide for establishment and operation of appropriate devices, methods, systems, and procedures necessary to</i></p> <p><i>(i) monitor, compile, and analyze data on ambient air quality, and</i></p> <p><i>(ii) upon request, make such data available to the Administrator. ”</i></p>
<b>Hawaii Program</b>
<p><b>Statutory provisions relevant to this element:</b></p> <p><u>HRS §342B-7(1) Annual Reports</u></p> <p>Pursuant to this statute, the department is required to compile an annual report summarizing air quality data from all air quality monitoring stations.</p>
<p><b>Discussion</b></p> <p>On August 10, 1981, EPA approved an air quality surveillance plan as a revision to the Hawaii SIP, 46 FR 40512. On July 9, 2004, EPA approved an amendment to the state's air quality surveillance network as a revision to the Hawaii SIP, 69 FR 41431.</p> <p>The department operates and maintains an air quality monitoring network for the state of Hawaii in accordance with 40 CFR Part 58 Appendix A, C, D, and E using EPA approved Federal Reference or Federal Equivalent Methods. Information about the monitoring stations along with their associated data can be viewed by the public on the department's website.</p> <p>The annual air monitoring network plans have been submitted in accordance with 40 CFR 58.10. The 2013 network plan was submitted July 1, 2013, included all the required plan elements, and was approved by EPA on December 11, 2013. The state's ambient air quality network meets or exceeds the minimum monitoring requirements for O<sub>3</sub> and NO<sub>2</sub>.</p> <p>NO<sub>2</sub> near-road monitoring for CBSAs with a population of 500,000 or more is required to be operational by January 1, 2017. The only Metropolitan Statistical Area (MSA) in the state is the City and County of Honolulu which had a 2010 census population of 953,207. DOH, with EPA regional input, has selected a site for near-road monitoring and will include the details in the 2016 Network Plan for final EPA approval.</p> <p>The annual data certification letter is submitted to the Administrator in accordance with 40 CFR 58.15.</p> <p>All quality assured, validated data is submitted to EPA's AQS in accordance with 40 CFR 58.16</p> <p>The annual data summary and annual network plan are provided for public viewing on the department's website.</p>

**Section 110(a)(2)(C): Enforcement and regulation of the modification and construction of any stationary source**

*"include a program to provide for the enforcement of the measures described in subparagraph (A), and regulation of the modification and construction of any stationary source within the areas covered by the plan as necessary to assure that national ambient air quality standards are achieved, including a permit program as required in parts C and D of this subchapter."*

### **Hawaii Program**

#### **Sub-element 1: enforcement of emissions limitations and other control measures**

##### **Statutory provisions that provide the authority to enforce emissions limitations and control measures:**

HRS §342B-15 Complaints; hearings; appointment of masters

HRS §342B-41 Inspection of premises  
Allows for the receipt or initiation, investigation, and legal proceedings of complaints on air pollution.

HRS §342B-41 Inspection of premises  
In accordance with the law, provides for the inspection or investigation of actual or suspected sources of air pollution to ascertain compliance or noncompliance with any rule, standard or permit.

HRS §342B-42 Enforcement

HRS §342B-43 Emergency powers; procedures  
Specifies the enforcement procedures on any person in violation of this chapter, rule or any issued permit or variance.

HRS §342B-44 Injunctive and other relief  
Provides emergency powers to the governor or director in the event that there is an imminent peril to public health and safety due to the release of any air pollutant or combination of air pollutants that requires immediate action.

HRS §342B-44 Injunctive and other relief  
Allows the director to impose and collect civil and administrative penalties or obtain other relief.

HRS §342B-45 Citation

HRS §342B-45 Citation  
Any person who violates the vehicular smoke emission and open burning control rules may be issued a summons or citation for the violation.

HRS §342B-46 Appeal

HRS §342B-46 Appeal  
Provides for the appeal process for an enforcement decision.

HRS §342B-47 Civil penalties

HRS §342B-47 Civil penalties  
Sets fines for violations of the vehicular smoke emission rule, open burning control rule, and any other rule or condition of an issued permit.

HRS §342B-48 Administrative penalties

HRS §342B-49 Criminal penalties

HRS §342B-50 Disposition of collected fines and penalties  
Requires that all fines and penalties collected under this chapter be deposited into the environmental response revolving fund.

HRS §342B-51 Enforcement by state and county authorities

HRS §342B-52 Nonliability of department personnel

HRS §342B-53 Other action not barred

HRS §342B-54 Priority in courts

HRS §342B-55 Consent orders; settlement agreements

#### **Regulatory provision for the implementation of these statutory authorities:**

HAR §11-60.1-19 Penalties and remedies

HAR §11-60.1-19 Penalties and remedies  
States that any person who violates any provision of this chapter or any term or condition of a permit shall be subject to the penalties and remedies provided in §342B sections 42, 44, 47, and 48.



## **Section 110(a)(2)(C): Enforcement and regulation of the modification and construction of any stationary source**

### **Sub-element 2: regulation of the construction and modification of stationary sources**

#### **Statutory provisions that provide the authority for this element:**

HRS §342B-21 Specific functions, duties, and powers of the director  
HRS §342B-22 Permit and permit renewal; requirements

Requires that the owner or operator of a covered source obtain a permit from the department.

HRS §342B-23 Application for permit  
HRS §342B-24 Action on a permit application  
HRS §342B-25 Approval of permit  
HRS §342B-26 General and temporary permits; single permit  
HRS §342B-27 Other permit action

Provides the conditions under which the director may terminate, modify, suspend, or revoke and reissue any permit.

HRS §342B-28 Recordkeeping and monitoring requirements  
HRS §342B-29 Fees  
HRS §342B-30 Judicial review  
HRS §342B-31 Government records; confidential information  
HRS §342B-32 Clean air special fund  
HRS §342B-33 Minimum permit conditions  
HRS §342B-34 Exceptions

The construction and modification of stationary sources in Hawaii is primarily regulated through the Hawaii Administrative Rules §11-60.1 which encompasses the covered source permit program and have been approved into Hawaii's SIP. See 77 FR 24148 and 77 FR 25084.

#### **Regulatory provisions for the implementation of the statutory authorities include:**

HAR §11-60.1-1 Definitions  
HAR §11-60.1-2 Prohibition of air pollution  
HAR §11-60.1-3 General conditions for considering applications  
HAR §11-60.1-5 Permit conditions

Allows the director to impose more restrictive conditions in a permit to further limit the air pollutants and operation of the source.

HAR §11-60.1-7 Transfer of permit

Except for temporary permits issued pursuant to this chapter, this rule prohibits the transfer of a permit from one person to another or from one location to another without approval from the director.

HAR §11-60.1-11 Sampling, testing, and reporting methods

HAR §11-60.1-12 Air quality models

HAR §11-60.1-14 Public access to information

HAR §11-60.1-81 [Covered Sources] Definitions

Includes definitions used for the covered source program.

HAR §11-60.1-82 [Covered Sources] Applicability

HAR §11-60.1-83 Initial covered source permit application

## **Section 110(a)(2)(C): Enforcement and regulation of the modification and construction of any stationary source**

HAR §11-60.1-84 [Covered Sources] Duty to supplement or correct permit applications

HAR §11-60.1-90 Permit content

Lists elements to be considered and incorporated into all covered source permits as applicable, including (but not limited to):

Emission limitations and standards, including operational requirements;

Requirements for the installation of measurement devices for source emissions or ambient concentrations of air pollutants;

Requirement for source emissions tests or alternative testing methodologies;

Monitoring and recordkeeping requirements

HAR §11-60.1-91 Temporary covered source permits

Requires owners or operators of a temporary covered source to certify its intention to operate at various locations with the same equipment and similar operational methods.

HAR §11-60.1-92 Covered source general permits

Governs the issuance of general permits for similar nonmajor covered sources.

HAR §11-60.1-93 Federally-enforceable permit terms and conditions

States that terms and conditions in a covered source permit are federally enforceable.

HAR §11-60.1-99 Public participation

HAR §11-60.1-103 Applications for minor modifications

Every application for a minor modification to a covered source is required to submit sufficient information to enable the director to make a decision on the application. Some of the information required include:

A clear description of all changes;

A statement of why the modification is determined to be minor;

Maximum emission rates;

The identification of any new applicable requirements that will apply if the minor modification occurs.

HAR §11-60.1-104 Applications for significant modifications

This rule states that every application for a significant modification to a covered source is subject to the same requirements as for an initial covered source permit application pursuant to 11-60.1-83 as it pertains to the proposed significant modification.

### **Discussion**

EPA determined that Hawaii's SIP did not include approvable procedures for preventing significant deterioration of air quality. Therefore EPA incorporated 40 CFR 52.21 into the applicable Hawaii plan, see 40 CFR 52.632(b). DOH has been delegated the authority to implement the provisions of 40 CFR 52.21 since 1983.

### **Section 110(a)(2)(D): Interstate and international pollutant transport**

*“contain adequate provisions—*

- (i) prohibiting, consistent with the provisions of this subchapter, any source or other type of emissions activity within the State from emitting any air pollutant in amounts which will—*
  - (I) contribute significantly to nonattainment in, or interfere with maintenance by, any other State with respect to any such national primary or secondary ambient air quality standard, or*
  - (II) interfere with measures required to be included in the applicable implementation plan for any other State under part C of this subchapter to prevent significant deterioration of air quality or to protect visibility,*
- (ii) insuring compliance with the applicable requirements of sections 7426 and 7415 of this title (relating to interstate and international pollution abatement).”*

### **Hawaii Program**

#### **Discussion**

In a November 19, 2012 memo from Assistant Administrator Gina McCarthy, EPA informed the Regional Air Directors of the ongoing litigation of the Cross-State Air Pollution Rule (CSPAR). Although the DOH believes that the two subject pollutants would not show interstate impacts, due to the CSPAR litigation, we are not submitting a Technical Support Document addressing interstate and international pollutant transport in this infrastructure SIP.

Regarding 110(a)(2)(D)(i)(II):

As noted in Section 110(a)(2)(C), EPA determined that Hawaii's SIP did not include approvable procedures for preventing significant deterioration of air quality. Therefore EPA incorporated 40 CFR 52.21 into the applicable Hawaii plan, see 40 CFR 52.632(b). DOH has been delegated the authority to implement the provisions of 40 CFR 52.21 since 1983.

Section 110(a)(2)(E): Adequacy of personnel, funding and authority for implementation	
<p><i>" provide</i></p> <p><i>(i) necessary assurances that the State (or, where the Administrator deems inappropriate, the general purpose local government or governments, or a regional agency designated by the State or general purpose local governments for such purpose) will have adequate personnel, funding, and authority under State (and, as appropriate, local) law to carry out such implementation plan (and is not prohibited by any provision of Federal or State law from carrying out such implementation plan or portion thereof),</i></p> <p><i>(ii) requirements that the State comply with the requirements respecting State boards under section 7428 of this title, and</i></p> <p><i>(iii) necessary assurances that, where the State has relied on a local or regional government, agency, or instrumentality for the implementation of any plan provision, the State has responsibility for ensuring adequate implementation of such plan provision."</i></p>	Hawaii Program
<p><b>Sub-element (i): adequacy of personnel, funding, and authority to carry out an implementation plan</b></p> <p><b>Statutory provisions that provide the legal authority for implementation:</b></p> <p><u>HRS §342B-2: Administration</u></p> <p>Specifies that the department shall administer this chapter through the director who may delegate to any person the power and authority vested in the director by this chapter as the director deems reasonable and proper for the effective administration of this chapter, except the power to make rules.</p> <p><u>HRS §342B-3: General functions, duties, and powers of the director</u></p> <p>Provides the director the authority to:</p> <p>(a) prevent, control, and abate air pollution and the emission of air pollutants in the state;</p> <p>(b) adopt, amend, and repeal state rules controlling and prohibiting air pollution and the release of air pollutants or as otherwise necessary for the purposes of this chapter; and,</p> <p>(c) appoint hearings officers to conduct contested case hearings and public participation activities, including public hearings and public informational meetings.</p> <p><u>HRS §342B-12: Specific powers of the director</u></p> <p>Identifies additional specific powers of the director to administer and manage the air program.</p>	
<p><b>Discussion</b></p> <p>The entire air program is administered and managed at the state level by the Department of Health, Environmental Health Administration, Environmental Management Division, Clean Air Branch with support services provided by the State laboratories Division, Air Surveillance and Analysis Section.</p> <p>The majority of the program's funding is obtained through the collection of fees from the regulated community and placed into a special fund with the sole purpose of developing and administering the air program. State matching and U.S. EPA grant monies provide the remainder of funding support. Funding is reviewed annually to ensure adequacy for program operations. The state does not rely on any local or regional government agency or entity for the implementation of any SIP provision. In fiscal year 2012, the available funds for the air program has been over \$3 million dollars with 47 FTE dedicated to the air program. At the present time, this funding is adequate.</p>	

## **Section 110(a)(2)(E): Adequacy of personnel, funding and authority for implementation**

### **Sub-element (ii): ensure compliance with State Board requirements**

The department does not have a State Board within the meaning of CAA §128. The director is provided the authority to administer all aspects of the air program through HRS §342B-2 and HRS §342B-3. Provisions in HRS §84 (Standards of Conduct) prescribes a code of ethics for elected officers and public employees of the state and is administered by the State Ethics Commission. Standards of conduct and conflict of interest provisions included in this chapter are as follows:

HRS §84-1 Construction

This chapter shall be liberally construed to promote high standards of ethical conduct in state government.

HRS §84-2 Applicability

This chapter applies to every nominated, appointed, or elected officer, employee, and candidate to elected office of the State.

HRS §84-3 Definitions

HRS §84-11 Gifts

HRS §84-11.5 Reporting of gifts

HRS §84-12 Confidential information

HRS §84-14 Conflicts of interests

This rule prohibits an employee from taking any official action directly affecting: 1) a business or other undertaking in which there is a substantial financial interest or, 2) a private undertaking in which the employee serves as legal counsel, advisor, consultant, representative, or other capacity. This rule also prohibits an employee from acting or assisting on behalf of any person or business for a fee or other compensation if the employee is involved in any official capacity.

HRS §84-17 Requirements of disclosure

HRS §84-18 Restrictions on post employment

Prohibits state employees within 12 months after separation of service from representing any person or business for a fee or other consideration, on matters in which the former employee participated in an official capacity.

### **Sub-element (iii): implementation of the plan by local or regional government, agency, or instrumentality**

The state Department of Health is solely responsible for administering the air program. The state does not rely on any other local or regional government, agency, or instrumentality for the implementation of the plan.

### **Section 110(a)(2)(F): Stationary source emissions monitoring and reporting**

*"require, as may be prescribed by the Administrator—*

- (i) the installation, maintenance, and replacement of equipment, and the implementation of other necessary steps, by owners or operators of stationary sources to monitor emissions from such sources,*
- (ii) periodic reports on the nature and amounts of emissions and emissions-related data from such sources, and*
- (iii) correlation of such reports by the State agency with any emission limitations or standards established pursuant to this chapter, which reports shall be available at reasonable times for public inspection."*

#### **Hawaii Program**

#### **Sub-element (i): requirements to monitor emissions**

##### **Statutory provision relevant to this element:**

HRS §342B-28 Recordkeeping and monitoring requirements

Provides the director with the authority to require an owner or operator of any source on a continuous, periodic, or one-time basis to:

- (1) Establish, maintain, and submit records;
- (2) Draft reports;
- (3) Install, use, and maintain monitoring equipment, and use audit procedures or methods;
- (4) Sample emissions in accordance with such procedures or methods, at locations, intervals, during periods, and in the manner prescribed by the director;
- (5) Keep records on the source and the control equipment parameters, production variables, or other indirect data when direct monitoring is impractical;
- (6) Sample and analyze the composition of the fuel, waste, or other products being burned or incinerated;
- (7) Submit compliance certifications; and,
- (8) Provide other information as the department may require.

##### **Regulatory provisions applicable to this element include:**

HAR §11-60.1-11 Sampling, testing, and reporting methods

This rule specifies that:

- (a) all sampling and testing be made and results calculated in accordance with EPA reference methods or as approved by the director;
- (b) the department may conduct emission tests of air pollutants or require the source to conduct tests at the owner or operator's expense;
- (c) the director may require the source to maintain files on process information, nature, amount, and time periods or durations of emissions or any other information deemed necessary to determine compliance with applicable limits, national or state ambient air quality standards, or other provisions of this chapter;
- (d) the information be summarized and reported to the director as specified in the permit;
- (e) the reports be retained for a specified time period; and
- (f) the owners or operators correlate applicable emission limits and other requirements in the report.

HAR §11-60.1-90 Permit content

The following conditions within this provision require covered source permits to include:

- (5) a requirement for the installation of devices for the measurement or analysis of source emissions or ambient concentrations of air pollutants;

<b>Section 110(a)(2)(F): Stationary source emissions monitoring and reporting</b>
<p>(6) a condition for source emissions tests or alternative methodology to determine compliance with permit conditions and applicable requirements;</p> <p>(7)(B) monitoring and related recordkeeping and reporting requirements to assure compliance with terms and conditions of the permit;</p> <p>(7)(D) a requirement to install, use, and maintain monitoring equipment.</p>
<p><b>Sub-element (ii): periodic reports on emissions and emissions-related data</b></p> <p><b>Statutory provision relevant to this element:</b>  <u>HRS §342B-7 Annual reports</u>  Pursuant to this statute, the department must compile, among other things, a report summarizing annual criteria pollutant emissions and all completed or issued enforcement actions.  <u>HRS §342B-28 Recordkeeping and monitoring requirements</u></p> <p><b>Regulatory provisions applicable to this element include:</b>  <u>HAR §11-60.1-11 Sampling, testing, and reporting methods</u>  <u>HAR §11-60.1-90 Permit content</u>  The following conditions within this provision require covered source permits to include:  (7)(A) all reporting, emissions monitoring and analysis procedures or test methods;  (7)(B) monitoring and related recordkeeping and reporting requirements to assure compliance with terms and conditions of the permit;  (7)(F) specifics of sampling or measurements such as place, date, time, entity that performed the analyses, analytical techniques or methods used, results and operating conditions during testing or sampling;  (7)(G) other records including support information, such as calibration and maintenance records, original stripchart recordings or computer printouts for continuous monitoring instrumentation;  (7)(H) retention period for all required monitoring data and support information;  (7)(I) time period for submission of reports;  (7)(J) prompt reporting of permit deviations</p>
<p><b>Sub-element (iii): correlation of reports to emission limits or standards and availability for public inspection</b></p> <p><b>Statutory provision relevant to this element:</b>  <u>HRS §342B-7 Annual reports</u>  §342B-7(2) requires the department to compile an annual report summarizing criteria pollutant emissions and §342B-7(4) requires an annual report for all completed or issued enforcement actions.  <u>HRS §342B-31 Government records; confidential information</u>  This rule requires the department to make all records pursuant to this chapter open to public inspection unless access is restricted or closed by law.  The following permit program documents are deemed to be government records:  (1) Permit applications and all supporting information;  (2) Compliance plans (including schedules of compliance);  (3) Emissions or compliance monitoring reports;  (4) Certifications;  (5) Permits, and  (6) Any other information submitted to the department pursuant to the permit program.</p>

**Section 110(a)(2)(F): Stationary source emissions monitoring and reporting**

Regarding confidentiality, the rule states: "upon a showing satisfactory to the director by any person that records, reports, or information, or particular part thereof (other than emission data), to which the director has access pursuant to this chapter, contain information of a confidential nature concerning secret processes or methods of manufacture, these records, reports, or information shall be kept confidential except that such record, report, or information may be disclosed to other officers or employees of the department and EPA concerned with carrying out this chapter or when relevant in any proceeding pursuant to this chapter." Therefore, emissions data is not considered confidential information under this rule.

**HRS §342B-41 Inspection of premises**

Provides that the director, in accordance with the law, be allowed to enter and inspect any building or place to investigate an actual or suspected source of air pollution, ascertain compliance or noncompliance with this chapter or any rule, standard, permit or approval granted by the department, and make reasonable tests in connection therewith.

**Regulatory provisions applicable to this element include:****HAR §11-60.1-11 Sampling, testing, and reporting methods**

(f) Owners or operators of stationary sources shall correlate applicable emission limitations and other requirements within the report.

**HAR §11-60.1-14 Public access to information**

Requires that the following information be made available for public inspection:

- (1) All permit applications;
- (2) All supporting information for permit applications;
- (3) Compliance plans and schedules;
- (4) Reports and results associated with performance tests and continuous emission monitors;
- (5) Ambient air monitoring data and emissions inventory data;
- (6) Certifications;
- (7) Any other information submitted to the department pursuant to the noncovered and covered source permit program;
- (8) Permits; and
- (9) Public comments or testimonies received during any public comment period or public hearing.

Exceptions are provided for materials to which "access is restricted or closed by law" or which contain information of a confidential nature. The procedures for determining confidential information are established by HAR §11-60.1-14(b)-(f).



**Section 110(a)(2)(G): Emergency powers and contingency plans**

*“provide for authority comparable to that in section 7603 of this title and adequate contingency plans to implement such authority.”*

**Hawaii Program**

**Statutory provision comparable to that found in section 7603 of the CAA:**

HRS §342B-43 Emergency powers; procedures

- (a) Provides that if the governor or the director determines that an imminent peril to the public health and safety is or will be caused by the release of any air pollutant or combination of air pollutants that requires immediate action, they can, without a public hearing, order any person causing or contributing to the release of the air pollutant to immediately reduce or stop the release and may take any and all other actions as necessary.
- (b) States that: “Nothing in this section shall be construed to limit any power which the governor or any other officer may have to declare an emergency and act on the basis of such a declaration, if such power is conferred by statute or constitutional provision, or inheres in the office.”

**Regulatory provision relevant to this element:**

HAR §11-60.1-17 Prevention of air pollution emergency episodes

Designed to prevent excessive buildup of air contaminants during air pollution episodes and set conditions for the proclamation of an air pollution alert, warning or emergency.

**Discussion**

Section VIII of Hawaii’s initial SIP , approved by EPA on May 31, 1972, addresses the Prevention of Emergency Episodes.

Hawaii is classified as Priority III for O<sub>3</sub> and NO<sub>2</sub> therefore, no contingency plans are required under 40 CFR §51.152(c). Current local conditions for O<sub>3</sub> are posted on EPA’s AIRNow Hawaii page and all monitored pollutants, including O<sub>3</sub> and NO<sub>2</sub> are posted “real-time” on the department’s website.

**Section 110(a)(2)(H): Future SIP revisions**

*“provide for revision of such plan—*

- (i) from time to time as may be necessary to take account of revisions of such national primary or secondary ambient air quality standard or the availability of improved or more expeditious methods of attaining such standard, and*
- (ii) except as provided in paragraph (3)(C), whenever the Administrator finds on the basis of information available to the Administrator that the plan is substantially inadequate to attain the national ambient air quality standard which it implements or to otherwise comply with any additional requirements established under this chapter”*

**Hawaii Program**

**Sub-elements (i) and (ii):**

**Statutory provisions relevant to these elements include:**

HRS §342B-3 General functions, duties, and powers of the director

Grants the director the function, duty and power to:

- (a) prevent, control, and abate air pollution and the emission of air pollutants in the state;
- (b) adopt, amend, and repeal state rules controlling and prohibiting air pollution and the release of air pollutants or as otherwise necessary for the purposes of this chapter.

HRS §342B-11 Prohibition

This states that no person shall engage in any activity which causes air pollution or causes or allows the emission of any regulated air pollutant<sup>1</sup> without first securing approval in writing from the director.

**Regulatory provision relevant to these elements:**

HAR §11-60.1-2 Prohibition of air pollution

Provides the regulatory basis for the prohibition of air pollution without first securing approval, in writing, from the director.

**Discussion**

The department has the authority to revise the Hawaii SIP as necessary to account for NAAQS revisions or the availability of improved or more expeditious methods of attaining such standard or whenever the Administrator finds that the state's plan is substantially inadequate to attain the NAAQS or does not comply with requirements established under the CAA.

The department will continue to update and revise the SIPs as necessary and will submit all SIP revisions whenever the Administrator finds that the plan is substantially inadequate to attain the NAAQS or does not comply with requirements established under the CAA.

<b>Section 110(a)(2)(I): SIP revisions for nonattainment areas</b>	
<i>“in the case of a plan or plan revision for an area designated as a nonattainment area, meet the applicable requirements of part D of this subchapter (relating to nonattainment areas)”</i>	
<b>Hawaii Program</b>	
This subsection is not applicable for the infrastructure SIP approval process.	
<b>Section 110(a)(2)(J): Consultation with government officials, PSD, and visibility protection</b>	
<i>“meet the applicable requirements of section 7421 of this title (relating to consultation), section 7427 of this title (relating to public notification), and part C of this subchapter (relating to prevention of significant deterioration of air quality and visibility protection;”</i>	
<b>Hawaii Program</b>	
<p><b>Consultation with government officials and public notification</b></p> <p><b>Statutory provisions relevant to these elements:</b></p> <p><u>HRS §342B-13 Public participation</u> This statute requires that the director provide public notice and opportunity for comment.</p> <p><u>HRS §342B-16(3) Research, educational, and training programs</u> Provides the director with the authority to conduct and supervise statewide educational and training programs on air pollution prevention, control, and abatement, including preparing and distributing information relating to air pollution.</p>	
<p><b>Discussion</b></p> <p>Hawaii implements the PSD program according to 40 CFR 52.21, including the relevant consultation requirements. Hawaii's PSD delegation agreement with EPA (January 5, 1989) includes joint oversight and approval of the pre-construction review for major stationary sources. In that delegation agreement, the department “must consult with the appropriate Federal, State, and local land use agencies prior to issuance of preliminary determinations on PSD permits.”</p> <p>Regarding public access to information, the department provides near real-time data and the current air quality index for public viewing on its website in addition to EPA's AirNow Hawaii page. Administrative rules as well as proposed rule revisions are also posted on the department's webpage. Public notices are placed in the newspapers of each applicable county as well as on its webpage for all new or renewed covered source permits, exceptional events documentation, annual air monitoring network plan, annual air monitoring book, and any other event or report requiring public notice.</p>	
<p><b>Part C relating to prevention of significant deterioration of air quality and visibility protection</b></p> <p>EPA has determined that the Hawaii SIP does not meet the requirements of sections 160 through 165 of the CAA, therefore 40 CFR 52.21 has been incorporated into the applicable Hawaii plan (see 40 CFR 52.632(b)). DOH has been delegated authority to implement the provisions of 40 CFR 52.21 since 1983.</p> <p>EPA also determined the Hawaii SIP does not meet the requirements of section 169A of the CAA pertaining to visibility in mandatory Class I federal areas (40 CFR §52.633(a)), and has incorporated the provisions of 40 CFR 52.26, 52.27, 52.28, and 52.29 into the applicable plan. See 52.633(b)-(c).</p>	

**Section 110(a)(2)(K): Air quality modeling and submission of modeling data**

*"provide for—*

- (i) the performance of such air quality modeling as the Administrator may prescribe for the purpose of predicting the effect on ambient air quality of any emissions of any air pollutant for which the Administrator has established a national ambient air quality standard, and*
- (ii) the submission, upon request, of data related to such air quality modeling to the Administrator"*

**Hawaii Program**

**Sub-element (i): air quality modeling**

**Statutory provisions relevant to this element include:**

HRS §342B-17 Air quality modelers

Provides the authority to establish air modeler positions for the purpose of assessing the impact of air releases.

**Regulatory provisions pertaining to modeling include:**

HAR §11-60.1-12 Air quality models

Requires that appropriate air modeling assessments be conducted for new and modified covered sources as specified in 40 CFR Part 51 Appendix W.

HAR §11-60.1-83(a)(11), (12), (13), and (14) Initial covered source permit application

For initial covered source permit applications, sources are required to conduct an assessment of the ambient air quality impact and perform a comparison with the NAAQS as well as conduct a risk assessment if requested by the director.

HAR §11-60.1-104(a)(12), (13), and (14) Applications for significant modification

For significant modifications to covered source permits, sources are required to conduct an assessment of the ambient air quality impact and perform a comparison with the NAAQS as well as conduct a risk assessment if requested by the director.

**Sub-element (ii): submission of data related to air quality modeling**

HRS §342B-31 Government records; confidential information

Information, including modeling, that is submitted as part of the permit program is considered government records available for public inspection.

Upon request, the department will submit current and future data relating to such air quality modeling to EPA.

**Discussion**

DOH is also required to submit all proposed and final covered source applications to EPA and can require the owner or operator to simultaneously submit a copy of the covered source application, including applications for renewal and amendments for modification. The submittals include the applicable modeling assessment (per HAR §11-60.1-94).

**Section 110(a)(2)(L): Major stationary source permitting fees**

*“require the owner or operator of each major stationary source to pay to the permitting authority, as a condition of any permit required under this chapter, a fee sufficient to cover—*

- (i) the reasonable costs of reviewing and acting upon any application for such a permit, and*
- (ii) if the owner or operator receives a permit for such source, the reasonable costs of implementing and enforcing the terms and conditions of any such permit (not including any court costs or other costs associated with any enforcement action), until such fee requirement is superseded with respect to such sources by the Administrator’s approval of a fee program under title V.”*

**Hawaii Program****Discussion**

Hawaii’s title V program, including the fee program, has been fully approved. See 40 CFR part 70, Appendix A; 66 FR 62945 (December 4, 2001); and 72 FR 19804 (April 20, 2007). Therefore, Hawaii’s SIP is not required to include fee provisions under this section.

### **Section 110(a)(2)(M): Consultation and participation by local entities**

*"provide for consultation and participation by local political subdivisions affected by the plan."*

#### **Hawaii Program**

Section XIII of Hawaii's initial SIP, approved by EPA on May 31, 1972, contains inter-governmental cooperation provisions.

#### **Statutory provisions relevant to this element include:**

##### HRS §342B-13 Public Participation

This describes the department's general procedures for public participation including the requirement to hold a public hearing when revising the state implementation plan as required by the amendments and regulations of the CAA.

##### HRS §342B-45 Citations

This statute provides the authority for police officers to issue citations for violations of the vehicular smoke emission (HAR §11-60.1-34) and open burning control rules.

##### HRS §342B-51 Enforcement by state and county authorities

Provides for all state and county health authorities and the police to enforce the provisions of this chapter as well as the rules, orders, and permits of the department.

#### **Discussion**

In developing rules or engaging in other actions that may affect other local agencies, the department, as a matter of practice, solicits input, consultation, review and guidance from the affected agencies. Some of the agencies include, but are not limited to: county law enforcement and fire departments; state and county civil defense agencies; county Mayor offices; county water boards; state Department of Land and Natural Resources; and state and county transportation departments.

## Attachment 2

### Proposed List of Revisions to Regulatory and Statutory Provisions in the Hawaii State Implementation Plan





**Proposed List of Revisions to Regulatory and Statutory Provisions  
in the Hawaii State Implementation Plan (SIP)**

**Statutes:**

All of the statutes cited in the Certification of Adequacy table (**Attachment 1**) have previously been approved by EPA with the following two exceptions:

HRS § 342B-4. Other powers of department and director not affected  
HRS § 342B-5. Effect of laws, ordinances, and rules

The Hawaii Department of Health (DOH) requests that EPA approve these two statutory sections to replace the prior, superseded versions thereof. In particular, HRS § 342B-4 supersedes HRS § 342-18 and HRS § 342B-5 supersedes HRS § 342-19.<sup>1</sup> Therefore, DOH also requests that EPA remove these existing, superseded provisions from the Hawaii SIP and replace them with HRS §§ 342B-4 and 5, which are enclosed in **Appendix A**.

In addition, DOH requests that EPA remove HRS § 342-14 (Technical Defect) from the SIP.<sup>2</sup> This statutory provision was repealed in 1989 and is no longer effective State law. It is not necessary to fulfill any SIP requirements. Therefore, DOH requests that it be removed from the Hawaii SIP.

**Regulations:**

The regulations cited in the Certification of Adequacy table (Attachment 1) have been approved by EPA, except for HAR §11-60.1-31 (Applicability). This rule provides that:

- (a) All owners or operators of an air pollution source are subject to the requirements of [HAR Chapter 60.1, Subchapter 2. General Prohibitions], whether or not the source is required to obtain a noncovered or covered source permit.
- (b) In the event any federal or state laws, rules, or regulations are in conflict with the provisions of this subchapter, the most stringent requirement shall apply.

DOH requests that EPA approve HAR §11-60.1-31 into the Hawaii SIP. Inclusion of this rule in the SIP will help to ensure the enforceability of the prohibitory rules of HAR Chapter 60.1, Subchapter 2.

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<sup>1</sup> HRS § 342-18 and 19 were approved into the SIP as part of Section III ("Legal Authority") of the 1982 State of Hawaii Air Pollution Control Implementation Plan for Lead. 48 FR 37402 (August 13, 1983).

<sup>2</sup> HRS § 342-14 was also approved into the SIP as part of Section III ("Legal Authority") of the 1982 State of Hawaii Air Pollution Control Implementation Plan for Lead. 48 FR 37402 (August 13, 1983).

The official copy of this rule is provided in **Appendix B**.

HAR §11-60.1-31 was first promulgated and took effect on November 26, 1993. Since that date, the section has been compiled several times, in accordance with DOH policy, with no revision to its content, when HAR Chapter 11-60.1 was subsequently revised.

Documentation of approvals and public participation proceedings from the November 26, 1993 promulgation of HAR Chapter 11-60.1 are included in **Appendix C**.

## Appendix A.

Hawaii Revised Statutes  
Title 19, Health  
Chapter 342B, Air Pollution Control  
Sections 4 and 5



~~REVISIONS COLLECTED FROM THE~~

# HAWAII REVISED STATUTES

COMPRISING THE STATUTES  
OF THE STATE OF HAWAII,  
CONSOLIDATED, REVISED, AND ANNOTATED

VOLUME 6  
1993 REPLACEMENT  
(Including Acts of the 1993 Sessions)  
  
TITLE 19, CHAPTERS 321-344



PUBLISHED BY AUTHORITY

~~REVISIONS COLLECTED FROM THE~~

~~REVISIONS COLLECTED FROM THE~~

Section "341-4(b)(3)" substituted for "341-4(b)(4)".

Revision Note

## ~~CHAPTER 342B ENVIRONMENTAL QUALITY~~

~~REPEALED. L 1989, c 212, §8.~~

Note

L 1989, c 77, §4 and c 281, §2, and L 1990, c 316, §3, purport to amend §342-11 and L 1989, c 161, §2 purports to amend §342-34.

## ~~CHAPTER 342B [OLD] AIR POLLUTION~~

~~REPEALED. L 1992, c 240, §2.~~

## CHAPTER 342B AIR POLLUTION CONTROL

### PART I. DEFINITIONS AND GENERAL PROVISIONS

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- 342B-2 ADMINISTRATION
- 342B-3 GENERAL FUNCTIONS, DUTIES, AND POWERS OF THE DIRECTOR
- 342B-4 OTHER POWERS OF DEPARTMENT AND DIRECTOR NOT AFFECTED
- 342B-5 EFFECT OF LAWS, ORDINANCES, AND RULES
- 342B-5.5 EXCEPTIONS
- 342B-6 SHORT TITLE
- 342B-7 ANNUAL REPORTS

### PART II. AIR POLLUTION

- 342B-11 PROHIBITION
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### PART III. PERMIT PROGRAM

- 342B-21 SPECIFIC FUNCTIONS, DUTIES, AND POWERS OF THE DIRECTOR
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- 342B-28 RECORDKEEPING AND MONITORING REQUIREMENTS
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- 342B-30 JUDICIAL REVIEW
- 342B-31 GOVERNMENT RECORDS; CONFIDENTIAL INFORMATION
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- 342B-33 MINIMUM PERMIT CONDITIONS
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- 342B-42 ENFORCEMENT

## AIR POLLUTION CONTROL

342B-1

- 342B-43 EMERGENCY POWERS; PROCEDURES
- 342B-44 INJUNCTIVE AND OTHER RELIEF
- 342B-45 CITATION
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- 342B-47 CIVIL PENALTIES
- 342B-48 ADMINISTRATIVE PENALTIES
- 342B-49 CRIMINAL PENALTIES
- 342B-50 DISPOSITION OF COLLECTED FINES AND PENALTIES
- 342B-51 ENFORCEMENT BY STATE AND COUNTY AUTHORITIES
- 342B-52 NONLIABILITY OF DEPARTMENT PERSONNEL
- 342B-53 OTHER ACTION NOT BARRED
- 342B-54 PRIORITY IN COURTS
- 342B-55 CONSENT ORDERS; SETTLEMENT AGREEMENTS
- 342B-56 CITIZEN SUITS

### PART V. SMALL BUSINESS ASSISTANCE PROGRAM

- 342B-61 SMALL BUSINESS ASSISTANCE PROGRAM
- 342B-62 COMPLIANCE ADVISORY COUNCIL; ESTABLISHMENT; APPOINTMENT, NUMBER, AND TERM OF MEMBERS; DUTIES
- 342B-63 SMALL BUSINESS OMBUDSMAN FOR AIR POLLUTION CONTROL; QUALIFICATIONS; DUTIES

### Cross References

Asbestos pollution control, see chapter 342P.

### Law Journals and Reviews

From prior law:  
Liability Insurance Coverage for Pollution Claims. 12 UH L. Rev. 83.  
Municipal Waste Combustion: A Wasted Investment? 12 UH L. Rev. 215.

## PART I. DEFINITIONS AND GENERAL PROVISIONS

§342B-1 Definitions. As used in this chapter, unless the context otherwise requires:

"Administrator" means the administrator of the United States Environmental Protection Agency.

"Air pollutant" has the same meaning as in the Clean Air Act, 42 United States Code section 7602 (g), and any substance designated as such by rules adopted under chapter 91.

"Air pollution" means the presence in the outdoor air of substances in quantities and for durations which may endanger human health or welfare, plant or animal life, or property or which may unreasonably interfere with the comfortable enjoyment of life and property throughout the State and in such areas of the State as are affected thereby, but excludes all effects of employer-employee relationships as to health and safety hazards.

"Ambient air" means the general outdoor atmosphere.

"Clean Air Act" means the federal Clean Air Act of 1963 as amended (42 United States Code section 7401 et seq.).

"Compliance plan" means a plan which includes a description of how a source proposes to comply with all applicable requirements pursuant to this chapter and includes a schedule of compliance and a schedule under which the permittee will submit progress reports to the department no less frequently than every six months.

"Council" means the compliance advisory council.

"Corrected source" means:

- (1) Any major source;
- (2) Any source subject to a standard of performance for new stationary sources as established by the director pursuant to this chapter.

(3) Any source subject to an emissions standard for hazardous air pollutants as established by the director pursuant to this chapter;

(4) Any source subject to the rules for the prevention of significant deterioration of air quality as established by the director pursuant to this chapter;

(5) Any source in a source category designated by the director.

"Department" means the department of health.

"Director" means the director of health.

"Draft proposed permit" means the version of a permit for which the department offers public notice and an opportunity for public comment and hearing.

"Emission" means the act of releasing or discharging air pollutants into the ambient air from any source.

"EPA" means the United States Environmental Protection Agency.

"Fugitive dust" means uncontrolled emission of solid airborne particulate matter from any source other than combustion.

"Fugitive emissions" means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

"Hazardous air pollutant" means those hazardous air pollutants listed in section 112 (b) of the Clean Air Act, as amended, 42 United States Code section 7412 (b), and any other hazardous air pollutant designated by rules.

"Major source" means any stationary source, or any group of stationary sources that are located on one or more contiguous properties, and are under common control, belonging to a single major industrial grouping and that emits or has the potential to emit, considering controls:

(1) Any hazardous air pollutant, except radionuclides, in the aggregate of ten tons per year or more, twenty-five tons per year or more of any combination, or such lesser quantity as the director may establish by rule;

(2) One hundred tons per year or more of any regulated air pollutant, including fugitive emissions of any such regulated air pollutant as the director may establish by rule; and

(3) For radionuclides, "major source" shall have the meaning specified by the director's rule.

"Owner or operator" means any person who owns, leases, operates, controls, or supervises a stationary source.

"Party" means each person named as party or properly entitled to be a party in any court or agency proceeding.

"Permit" means written authorization from the director to construct, modify, relocate, or operate any regulated air pollutant source. A permit authorizes the permittee to cause or allow the emission of a regulated air pollutant in a specified manner or amount, or to do any act, not forbidden by this chapter or by rules adopted pursuant to this chapter, but requiring review by the department.

"Permit program" means the program established pursuant to part III of this chapter.

"Person" means any individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, state, county, commission, political subdivision of the State, or, to the extent they are subject to this chapter, the United States or any interstate body.

"Proposed permit" means the version of a permit that the department forwards to the administrator for review.

"Regulated air pollutant" means:

(1) Nitrogen oxides or any volatile organic compound;

(2) Any air pollutant for which a national or state ambient air quality standard has been adopted; and

(3) Any air pollutant that is established by rule pursuant to this chapter pertaining to standards for performance for new stationary sources and emissions standards for hazardous air pollutants.

"SBAP" means the small business assistance program established by section 342B-61.

"Small business ombudsman" means the small business ombudsman for air pollution control established pursuant to section 342B-63.

"Small business stationary source" means a stationary source that:

(1) Is owned or operated by a person that employs one hundred or fewer individuals;

(2) Is independently owned and operated and not dominant in its field or as otherwise defined by the federal Small Business Act (42 United States Code section 631 et seq.);

(3) Is not a major stationary source;

(4) Does not emit fifty tons or more per year of any regulated air pollutant; and

(5) Emits less than seventy-five tons per year of all regulated air pollutants.

"Source" means any property, real or personal, which emits or may emit any air pollutant.

"Stationary source" means any piece of equipment or any activity at a building, structure, facility, or installation that emits or may emit any air pollutant.

"Variance" means special written authorization from the director to cause or emit any regulated air pollutant in a manner or in an amount in excess of applicable standards, or to do an act that deviates from the requirements of rules or standards adopted pursuant to this chapter. [L 1992, c 240, pt of §1; am L 1993, c 208, §§2, 11]

[§342B-2] **Administration.** The department shall administer this chapter through the director. The director may delegate to any person the power and authority vested in the director by this chapter as the director deems reasonable and proper for the effective administration of this chapter, except the power to make rules. [L 1992, c 240, pt of §1]

[§342B-3] **General functions, duties, and powers of the director.** (a) In addition to any other power or duty prescribed by law and in this chapter, the director shall prevent, control, and abate air pollution and the emission of air pollutants in the State.

(b) In the discharge of the duty described in subsection (a) the director may adopt, amend, and repeal state rules controlling and prohibiting air pollution and the release of air pollutants or as otherwise necessary for the purposes of this chapter.

(c) In addition to other specific powers provided in this chapter, the director may appoint, without regard to chapters 76 and 77, hearings officers to conduct contested case hearings and public participation activities, including public hearings and public informational meetings. [L 1992, c 240, pt of §1]

[§342B-4] **Other powers of department and director not affected.** The powers, duties, and functions vested in the department and director under this chapter shall not be construed to affect in any manner the powers, duties, and functions vested in the department and director under any other law. Rules shall be adopted pursuant to chapter 91. [L 1992, c 240, pt of §1]

[§3-42B-5] **Effect of laws, ordinances, and rules.** (a) All laws, ordinances, and rules inconsistent with this chapter shall be void and of no effect.

(b) Any county may adopt ordinances and rules governing any matter relating to air pollutant and air pollution control which is not governed by a rule of the department adopted pursuant to this chapter; provided that any county ordinance or rule relating to air pollution control shall be void and of no effect as to any matter regulated by a rule of the department upon the adoption thereof. [L 1992, c 240, pt of §1]

[§3-42B-5.5] **Exemptions.** The hydrogen sulfide standard adopted pursuant to this chapter shall not apply to waste ponds, waste pits, crops, feed, animals, or manure incident to agricultural operations necessary for the raising of animals or the growing or processing of crops. [L 1993, c 208, §1]

[§3-42B-6] **Short title.** This chapter may be cited as the "Hawaii Air Pollution Control Act." [L 1992, c 240, pt of §1]

**§3-42B-7 Annual reports.** The department shall compile an annual report summarizing:

- (1) Air quality data from all air quality monitoring stations;
- (2) Annual criteria pollutant emissions;
- (3) Annual air toxic emissions; and
- (4) All completed or issued enforcement actions. [L 1992, c 240, pt of §1; am L 1993, c 208, §3]

## PART II. AIR POLLUTION

[§3-42B-11] **Prohibition.** No person, including any public body, shall engage in any activity which causes air pollution or causes or allows the emission of any regulated air pollutant without first securing approval in writing from the director. [L 1992, c 240, pt of §1]

[§3-42B-12] **Specific powers of the director.** The director may:

- (1) Establish ambient air quality standards for the State as a whole or for any part thereof;
- (2) Establish and administer any permit program;
- (3) Establish by rule the control of open burning, fugitive dust, and visible emissions;
- (4) Establish by rule the control of vehicular smoke emission and require the installation, use, and proper operation and maintenance of air pollution control equipment for motor vehicles;
- (5) Establish and administer a program of inspection and testing of all modes of transportation except aircraft, to enforce compliance with applicable emission limitations when necessary and practicable, and to control or limit the operation of motor vehicular and other modes of transportation when the director finds pursuant to standards established by rules such modes of transportation are producing or pose an immediate danger of producing unacceptable levels of air pollution or when such control is necessary to meet applicable ambient air quality standards;
- (6) Establish by rule other specific areas for control of air pollution, thereby allowing for varying conditions.

- (7) Establish standards of performance or rules for existing, new, or modified stationary sources or adopt standards of performance for existing, new, or modified stationary sources as promulgated by the administrator;
- (8) Establish maximum achievable control technology standards or rules for the control of hazardous air pollutants from existing, new, or modified sources or adopt maximum achievable control technology as promulgated by the administrator; and
- (9) Establish rules for the prevention of significant deterioration of air quality or adopt prevention of significant deterioration regulations as promulgated by the administrator. [L 1992, c 240, pt of §1]

**§3-42B-13 Public participation.** (a) Except as provided in subsections (b) and (c), where public participation is deemed appropriate by the director or is required, the director shall provide for notice and opportunity for public comment as follows:

- (1) The director shall make available for public inspection in at least one location in the county affected by the proposed action, or in which the source is or would be located:
  - (A) Information on the subject matter;
  - (B) All information submitted by the applicant, except for that deemed confidential;
  - (C) The department's analysis and proposed action; and
  - (D) Other information and documents deemed appropriate by the department.
- (2) The director shall notify the public of the availability of information listed in paragraph (1). Notification shall be published in a newspaper which is printed and issued at least twice weekly in the county affected by the proposed action, or in which the source is or would be located.
- (3) Public notice shall be mailed to any person, group, or agency upon request.
- (4) The director shall provide a period of not less than thirty days following the date of the public notice during which time interested persons may submit written comments on the subject matter, application, department's analysis and proposed actions, and other appropriate considerations. The period for comment may be extended at the discretion of the director; and
- (5) The director, at the director's sole discretion, may hold a public hearing if the public hearing would aid in the director's decision. Any person may request a public hearing. The request shall be in writing and shall be filed within the thirty-day comment period prescribed in paragraph (4) and shall indicate the interest of the party filing the request and the reasons why a hearing is warranted. The director shall publish the public notice for a hearing in accordance with paragraph (2) at least thirty days in advance of the hearing date and shall conduct the hearing in the county in which would be affected by the proposed action, or in which the source is or would be located.
- (b) All rules shall be adopted, amended, and repealed pursuant to chapter 91. The director shall provide written notice to any person, who submitted comments during the comment period or presented testimony during the public hearing, of the final action taken by the department with respect to the rules.
- (c) The director shall hold a public hearing when revising the state implementation plan required by the Clean Air Act, and the amendments thereto, and the regulations promulgated thereunder. [L 1992, c 240, pt of §1; am L 1993, c 208, §4]



## Appendix B.

Hawaii Administrative Rules  
Title 11, Department of Health  
Chapter 11-60.1, Air Pollution Control  
Section 31



## DEPARTMENT OF HEALTH

### Amendment and Compilation of Chapter 11-60.1 Hawaii Administrative Rules

DEC 20 2011

#### SUMMARY

1. §§11-60.1-51 to 11-60.1-55 are amended.
2. §11-60.1-57 is amended.
3. A new §11-60.1-58 is added.
4. §§11-60.1-192 and 11-60.1-193 are amended.
5. Chapter 11-60.1 is compiled.

Historical note: §11-60.1-20 is based substantially upon §11-60-22. [Eff 11/29/82; am, ren §11-60-22 and comp 4/14/86; comp 6/29/92; R 11/26/93]

## SUBCHAPTER 2

### GENERAL PROHIBITIONS

§11-60.1-31 Applicability. (a) All owners or operators of an air pollution source are subject to the requirements of this subchapter, whether or not the source is required to obtain a noncovered or covered source permit.

(b) In the event any federal or state laws, rules, or regulations are in conflict with the provisions of this subchapter, the most stringent requirement shall apply. [Eff 11/26/93; comp 10/26/98; comp 9/15/01; comp 11/14/03; comp

JAN 13 2012 ] (Auth: HRS §§342B-3, 342B-12; 42 U.S.C. §§7407, 7416) (Imp: HRS §§342B-3, 342B-12; 42 U.S.C. §§7407, 7416)


§11-60.1-32 Visible emissions. (a) Visible emission restrictions for stationary sources which commenced construction or were in operation before March 21, 1972, shall be as follows:

- (1) No person shall cause or permit the emission of visible air pollutants of a density equal to or darker than forty per cent opacity, except as provided in paragraph (2);
- (2) During start-up, shutdown, or when breakdown of equipment occurs, a person may discharge into the atmosphere from any single source of emission, for a period aggregating not more than six minutes in any sixty minutes, air pollutants of a density not darker than sixty per cent opacity.

Amendments to and compilation of chapter 60.1,  
title 11, Hawaii Administrative Rules, on the Summary  
Page dated **DEC 20 2011** were adopted on **DEC 20 2011**  
following public hearings held on September 6, 7, 12  
and 15, 2011, after public notice was given in the  
*Honolulu Star Advertiser, The Garden Island, The Maui  
News, West Hawaii Today, and Hawaii Herald Tribune*, on  
August 5, 2011.

The rules shall take effect ten days after filing  
with the Office of the Lieutenant Governor.


  
LORETTA S. FUDOY, A.C.S.W., M.P.H.  
Director of Health

  
NEIL ABERCROMBIE  
Governor  
State of Hawaii

Dated: 12.31.11

Filed

APPROVED AS TO FORM:

  
Deputy Attorney General

60.1-250

2981

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LIEUTENANT GOV  
OFFICE



## Appendix C.

### Approvals & Public Participation Proceedings for HAR §11-60.1-31

November 26, 1993 version





JOHN WAIHEE  
GOVERNOR OF HAWAII



JOHN C. LEWIN, M.D.  
DIRECTOR OF HEALTH


STATE OF HAWAII  
DEPARTMENT OF HEALTH

P. O. BOX 3378  
HONOLULU, HAWAII 96801

In reply, please refer to:  
EMD-CAB

August 2, 1993

**TO:** The Honorable John Waihee  
Governor of Hawaii

**FROM:** John C. Lewin, M.D.   
Director of Health

**SUBJECT:** Request for Governor's Approval to Proceed with Public Hearings for the Amendments to Administrative Rule, Title 11, Chapter 59, Ambient Air Quality Standards; Repeal of Administrative Rule, Title 11, Chapter 60, Air Pollution Control; and Adoption of Administrative Rule, Title 11, Chapter 60.1, Air Pollution Control

**Introduction:**

The Clean Air Act Amendments of 1990 established major reforms in the control of air pollution on both the federal and state level. The amendments, consisting of eleven regulatory sections (Titles I-XI) have resulted in, and will continue to result in, the development of numerous federal regulations. To implement the provisions of the 1990 Clean Air Act Amendments and the new federal regulations, states are required to formulate the applicable programs and adopt the necessary rules. The State of Hawaii, as with other states, is required to submit to the U.S. Environmental Protection Agency for approval a permit program meeting the federal requirements and the 1990 Clean Air Act Amendments by November 15, 1993. The integration of the federal requirements and the 1990 Clean Air Act Amendments with the State of Hawaii's existing regulations have resulted in the development of two categories of air pollution sources, noncovered and covered sources. The federal regulations and 1990 Clean Air Act Amendments require regulations of covered sources, which generally encompass the larger or higher impact air pollution sources. Therefore, in an effort to meet the federal requirements and the 1990 Clean Air Act Amendments, other changes for clarification, consistency, and updates have been made to address noncovered sources and general provisions of the air program. The proposed amendment to Chapter 11-59, repeal of Chapter 11-60, and adoption of Chapter 11-60.1 will:

1. Replace the ambient air quality standard for suspended particulate matter with an ambient air quality standard for particulate matter less than ten micrometers (PM<sub>10</sub>);
2. Establish permitting requirements and adopt other provisions for noncovered sources;

3. Establish permitting requirements and adopt other provisions for covered sources;
4. Adopt provisions for the collection of fees from noncovered and covered sources and agricultural burning operations;
5. Establish performance standards for municipal waste combustors;
6. Establish requirements for hazardous air pollutant sources; and,
7. Make other changes to clarify existing requirements and incorporate revisions in statutory language.

**(1) Changes to Be Made and Reasons for the Changes:**

a. Chapter 11-59, Ambient Air Quality Standards

§11-59-4, Ambient air quality standard. This section is amended to replace the ambient air quality standard for suspended particulate matter with a standard for PM<sub>10</sub> as follows:

(e) In the ambient air the concentration of [suspended] particulate matter as particles with an aerodynamic diameter less than or equal to a nominal ten micrometers as measured by a reference method shall not exceed:

- (1) [A geometric] An arithmetic mean of [sixty] fifty micrograms per cubic meter of air during any twelve-month period; and
- (2) An average value of one hundred fifty micrograms per cubic meter of air during any twenty-four-hour period.

This establishes by rule a statewide air quality standard for PM<sub>10</sub> consistent with the National Ambient Air Quality Standards.

b. Chapter 11-60, Air Pollution Control

This chapter is being repealed in its entirety to allow for the adoption of Chapter 11-60.1. Chapter 11-60 does not meet the requirements for implementing the new federal requirements and the 1990 Clean Air Act Amendments for covered sources.

c. Chapter 11-60.1, Air Pollution Control

The adoption of this chapter will meet the federal requirements and the 1990 Clean Air Act Amendments for covered sources and provide regulatory provisions for noncovered sources. Chapter 11-60.1 will consist of the following nine subchapters:

Subchapter 1, General Requirements. The provisions of this subchapter are based substantially upon the provisions of the existing Chapter 11-60, but

reflect some changes to clarify existing requirements, to reflect statutory changes in language, and to add new definitions associated with the proposed new requirements. Modifications were made to the existing general provisions for permits and the circumstances under which a permit may be terminated, suspended, reopened, and amended. The proposed provisions also add new or modified requirements regarding certification, administrative procedure for permit applicants claiming confidentiality on information submitted with the permit application, and the reporting of emissions violations of Chapter 11.60.1 and the applicable permit.

The provisions of this subchapter will clarify the existing requirements, incorporate statutory changes in language, and cover requirements that are applicable to both a noncovered and covered source.

Subchapter 2, General Prohibitions. The provisions of this subchapter are based substantially on the provisions of the existing Chapter 11-60, but reflect some changes to clarify existing requirements and to reflect statutory changes in language.

The provisions of this subchapter will essentially clarify and update the existing requirements.

Subchapter 3, Open Burning. The provisions of this subchapter are based substantially on the provisions of the existing Chapter 11-60, but reflect some changes to clarify existing requirements and to add new definitions. The proposed provisions also allow the director to regulate open burning by districts rather than by island, require the director's approval prior to allowing open burning for the purpose of abating a fire hazard, restrict open burning for forest management to public agencies using prescribed burning procedures, and provide for monetary and other penalties as set forth in sections 342B-42, 342B-44, 342B-47, and 342B-48, HRS, for the violation of an open burning permit.

The provisions of this subchapter will essentially clarify the existing requirements and provide the director additional flexibility in managing open burning in allowing control by districts.

Subchapter 4, Noncovered Sources. The provisions of this subchapter will replace the current Authority to Construct and Permit to Operate permit process with a single permit process which involves changes and clarifications to the requirements for applications, renewals, temporary sources, permit reopening and amendments, and public participation. The proposed provisions establish new requirements for noncovered sources and new permit conditions which are required to be incorporated into the noncovered source permit. The proposed provisions also allow for issuance of noncovered source general permits which regulate numerous similar noncovered sources with identical permits; and provide for the manner in which existing sources transition into the noncovered source permit program.

The provisions of this subchapter will establish by rule, consistent with Subchapter 5 for covered sources, a one-tier permitting process in lieu of a two-tier process. The one-tier permitting process will facilitate the processing of an air permit without jeopardizing the integrity of the air program.

Subchapter 5, Covered Sources. The provisions of this subchapter will replace the current Authority to Construct and Permit to Operate permit process with a single permit process which involves changes and clarifications for applications, renewals, temporary sources, permit reopening and amendments, and public participation. All "existing" covered sources are required to submit an application for a covered source permit within ten months or less after the effective date of the proposed rules, and all "new" covered sources must obtain a covered source permit prior to the construction, reconstruction, modification, or relocation of the covered source. The proposed provisions establish new requirements for covered sources and new permit conditions which are required to be incorporated into the covered source permit. The proposed provisions also allow issuance of covered source general permits which regulate numerous similar covered sources with identical permits; and provide the manner in which existing covered sources may operate and continue construction during the transition period of the covered source permit program.

The provisions of this subchapter will establish by rule a one-tier permit process in lieu of the previous two-tier process to streamline the effort required to process a covered source permit. The purpose of revising the regulatory rules for covered sources and initiating the many changes to the permit process is to meet the requirements of the 1990 Clean Air Act Amendments and the federal regulations. The federal requirements mandate that each state submit their rule changes by November 15, 1993.

Subchapter 6, Fees for Covered Sources, Noncovered Sources, and Agricultural Burning. The provisions of this subchapter establish new requirements and schedules for the collection of fees to cover the direct and indirect cost to develop, support, and administer the air program. The new fee requirements and schedules include application and annual fees for covered and noncovered sources and application fees for agricultural burning permits. The proposed fees to be collected are substantially higher than the fees previously assessed.

The collection of fees from covered sources is required by federal regulations and the 1990 Clean Air Act Amendments to cover the direct and indirect costs to develop, support, and administer the covered source permit program and a Small-Business Assistance Program. The Small-Business Assistance Program is intended to provide small business covered sources with guidance in complying with the new regulations. The collection of fees from noncovered sources, including agricultural burning operations, is to partially support their share of the air program cost to the extent possible for these smaller emitting sources.

Subchapter 7, Prevention of Significant Deterioration Review. The proposed provisions of this subchapter are based substantially upon the provisions of the existing Chapter 11-60, but reflect some changes to clarify existing requirements, to reflect changes in statutory language and federal requirements, or to add new definitions.

The provisions of this subchapter will clarify existing requirements and incorporate changes in federal requirements.

Subchapter 8, Standards of Performance for Stationary Sources. The provisions of this subchapter establish performance standards for stationary air pollution sources consistent with federal regulations, 40 CFR Part 60. The provisions also establish performance standards and other requirements for municipal waste combustors consistent with federal guidelines.

The provisions of this subchapter will clarify existing requirements and establish requirements for municipal waste combustors consistent with federal guidelines.

Subchapter 9, Hazardous Air Pollutant Sources. The proposed provisions of this subchapter establish requirements for hazardous air pollutant sources, including provisions for maximum achievable control technology, early reduction, and accidental releases. The proposed provisions also prevent sources from emitting hazardous air pollutants which may result in a significant ambient air concentration level, unless the source can establish that the significant ambient air concentration is inappropriate for the hazardous air pollutant in question and the source emissions will not result in or contribute to any ambient air concentration which endangers human health. The proposed provision establishes the significant ambient air concentration level for hazardous air pollutants and incorporates the national emission standards for hazardous air pollutants, 40 CFR Part 61.

The provisions of this subchapter will establish requirements for hazardous air pollutant sources as required by federal regulations and the 1990 Clean Air Act Amendments, and a significant ambient air concentration level for hazardous air pollutants.

**(2) Manner in Which the Proposed Amendment to Chapter 11-59, Repeal of Chapter 11-60, and Adoption of Chapter 11-60.1 will affect the Operations or Programs of the Department in terms of Responsibility, Functions, Activities, and Inter-Relationships, Internal and External.**

Internal. The amendment to Chapter 11-59 will publicly establish a state ambient air quality standard for PM<sub>10</sub> consistent with the National Ambient Air Quality Standards, making permitting more equitable and easier for the department to issue and monitor. The repeal of Chapter 11-60 and adoption of Chapter 11-60.1 will publicly establish new provisions and other requirements for the control of air pollution in accordance with the

1990 Clean Air Act Amendments. The new provisions will result in major reforms in the overall program operations, including an increase in responsibilities and functions in areas of permitting, monitoring, and enforcement. New responsibilities and activities include the establishment and implementation of a fee assessment and collection program. Program expansion will be required to implement the new provisions of Chapter 11-60.1. The first three years of the program is predicted to be extremely difficult, as existing and new staff implement a program significantly different from the existing permit program. Also, federal requirements dictate that all covered source permits submitted within the first year of the permit program be processed within three years of program initiation. The Department of Health staff will continually need to keep abreast of the many federal requirements projected to be promulgated under the covered source permit program. One of the major changes from the existing Chapter 11-60 is the regulation of one-hundred eighty-nine hazardous air pollutants. A tremendous learning curve, the requirement to build a state-wide hazardous air pollutant emissions inventory, and the responsibility to concurrently process air permits in a timely manner will be faced by the Department of Health staff. The permit issuance is expected to take longer, due to increased oversight by EPA and the public. The Department of Health will be faced with many questions for clarification and interpretation of the rule by the public and industry when this new program is put into effect.

External. Industry representatives, community organizations, and the general public will have open access to the standards and requirements under which air pollution source operations are conducted. Air pollution sources will have increased responsibilities to be knowledgeable of federal requirements, and be abreast of air pollution control technology. Increased requirements for monitoring, recordkeeping, and reporting will be imposed on covered sources for the continual need to demonstrate compliance and establish the basis of a source's annual fees which is directly related to the amount a covered source pollutes.

**(3) Final Results to be Expected by Instituting the Proposed Amendment to Chapter 11-59, Repeal of Chapter 11-60, and Adoption of Chapter 11-60.1.**

These rules will implement the federal requirements and the 1990 Clean Air Act Amendments and establish provisions for the collection of fees which are intended to cover the direct and indirect costs to develop, support, and administer the air program. In addition, these rules will clarify existing requirements, reform the permitting process for noncovered and covered sources, and establish requirements for hazardous air pollutant sources and an ambient air quality standard for  $PM_{10}$ . The entire program is directed to improve or maintain air quality in the State of Hawaii and to have the sources that contribute to air pollution support the program financially and through increased awareness of available air pollution controls. The new program is anticipated to provide increased regulatory oversight for larger air polluting sources, while affording these sources some operational flexibility.

**(4) Program and Financial Impact on the State of the Proposed Amendment to Chapter 11-59, Repeal of Chapter 11-60, and Adoption of Chapter 11-60.1.**

a. Long- and short-range program and financial impact.

Short-range program impact will be an increase in financial requirements due to the increased staff required to administer this new program. The increased program cost, however, is expected to be offset by the collection of fees pursuant to the new fee schedule. Long-range program impact should be minimal as the program stabilizes. It is anticipated that the collection of fees will support the entire or the majority of the air program. At a minimum, the collection of fees will support the covered source permit portion of the air program.

b. Anticipated increase or decrease in program funding which will be required for the present or future budget periods; forecast of anticipated savings or funding shortfalls which might be incurred.

These rules will establish provisions for the collection of fees to offset current program funding. Although the provisions for the collection of fees are intended to cover the entire cost to develop, support, and administer the air program, until the program is fully implemented, the required resources are acquired, and the amount of revenue generated established, the actual program budget or funding will not be specifically known. Upon implementing the program, it is anticipated that program funding will significantly decrease or no program funding will be required.

**(5) Long- and Short-term Impacts on the Public, on Economic Growth and the Economy of the State, and on the Individuals or Businesses which must comply.**

Public. These standards and rules are intended to reduce air pollution and increase regulatory oversight, and are designed to protect the health and comfort of the general public.

Economic growth and the economy. These standards and rules should not affect the economic growth and economy of the state.

Individual/businesses. Individuals or businesses with stationary air pollution sources will be required to comply with these standards and rules, including all requirements for permitting, air pollution controls, and emission monitoring. Fees to cover the cost of the air program will also be assessed to individuals or businesses with stationary air pollution sources. Therefore, it is anticipated that businesses will be faced with increased costs due to higher application fees, annual fees based on the amount a source pollutes, and other costs associated with stricter requirements for air controls, monitoring, recordkeeping, and reporting. In addition, businesses may be required to seek technical assistance as the requirements for submitting an air permit application becomes more complex, generally involving ambient air quality analysis, meteorological data collection, or risk assessment for hazardous air pollutants. A continual cross-check needs to be

accomplished between a source's planned operations, and the federal and state requirements to determine if its operations meet the minimum requirements.

Small businesses will be assisted by the Small-Business Assistance Program, funded by the fees collected from covered sources. This program will hopefully offset some of the cost for small businesses covered sources, by providing guidance that would otherwise have to be contracted out.

It is anticipated that any increased cost incurred by the businesses will be passed on to the customers or public. In essence, everyone shares in the cost of stricter requirements and increased regulatory oversight to improve air quality.

**(6) Other Alternatives Explored in Attempting to Resolve the Problem or Situation at hand.**

The amendment to Chapter 11-59 will replace the ambient air quality standard for suspended particulate matter with a standard for  $PM_{10}$  to be consistent with the National Ambient Air Quality Standards. The federal  $PM_{10}$  standard was adopted for the protection of public health.

The repeal of Chapter 11-60 and the adoption of Chapter 11-60.1 play an integral part in the establishment of the new State of Hawaii air permit program, which is intended to meet the federal requirements and the 1990 Clean Air Act Amendments. There are no other alternatives, since failure to submit an adopted permit program to the U.S. Environmental Protection Agency may result in federal sanctions on the State of Hawaii.

Thank you for your consideration in this matter.

Enclosures


c: Department of Attorney General  
Department of Budget & Finance  
Department of Business, Economic  
Development & Tourism

**APPROVED AS TO FORM:**

  
Deputy Attorney General

Date: 8/2/93

**APPROVED/~~DISAPPROVED~~  
To Proceed With Public Hearing:**

  
JOHN WAIHEE, GOVERNOR  
State of Hawaii

Date: AUG 16 1993



**NOTICE OF PUBLIC HEARING  
DEPARTMENT OF HEALTH  
STATE OF HAWAII**

**(Docket No. R-7-93)**

Pursuant to Chapter 91, Hawaii Revised Statutes, and other applicable laws, the Department of Health will hold public hearings to consider: 1) proposed revisions to the Hawaii Administrative Rules, Chapter 11-59, Ambient Air Quality Standards; 2) the proposed repeal of Hawaii Administrative Rules, Chapter 11-60, Air Pollution Control; and 3) the proposed adoption of Hawaii Administrative Rules, Chapter 11-60.1, Air Pollution Control.

The purpose of the proposed revisions to Chapter 11-59 is to replace the ambient air quality standard for suspended particulate matter with an ambient air quality standard for particles with an aerodynamic diameter less than or equal to a nominal ten micrometers, for consistency with the National Ambient Air Quality Standards.

The purpose of the proposed repeal of Chapter 11-60 is to adopt new air pollution control rules in a new chapter, Chapter 11-60.1. The existing provisions of Chapter 11-60 do not meet the requirements for implementing the 1990 Clean Air Act Amendments. The purpose of the proposed adoption of new air pollution control rules of Chapter 11-60.1 is to implement the requirements of the 1990 Clean Air Act Amendments, involving the establishment of new permitting requirements for covered sources and requirements for maximum achievable control technology for hazardous air pollutant emissions; collection of fees to cover the direct and indirect costs to develop, support, and administer the air permit program; establishment of performance standards for municipal waste combustors consistent with federal guidelines; and establishment of requirements for hazardous air pollutant sources. Chapter 11-60.1 also makes other changes to the current air pollution control requirements to include: 1) the establishment of new permitting and fee requirements for noncovered sources; 2) the modification of open burning requirements and fee structure; and 3) changes to general prohibitions and requirements, and prevention of

significant deterioration review requirements.

The major proposed rule changes to Chapter 11-59 are summarized as follows:

11-59-4. Ambient air quality standards. An ambient air quality standard for particles with an aerodynamic diameter less than or equal to a nominal ten micrometers of fifty micrograms per cubic meter (twelve-month average) and one hundred fifty micrograms per cubic meter (twenty-four-hour average) is added. The ambient air quality standard for suspended particulate matter is deleted.

The proposed new air pollution control rules of Chapter 11-60.1 are intended to replace the existing Chapter 11-60 with nine new subchapters which are generally described as follows:

Subchapter 1. General Requirements. The proposed provisions are based substantially upon the provisions of the existing Chapter 11-60, but reflect some changes to clarify existing requirements, to reflect statutory changes in language, and to add new definitions associated with the proposed new requirements. Modifications were made to the existing general provisions for permits, and the circumstances under which a permit may be terminated, suspended, reopened, and amended. The proposed provisions also establish new or modified requirements regarding certification, administrative procedures for permit applicants claiming confidentiality on information submitted with the permit application, and the reporting of emission violations of Chapter 11-60.1 and the applicable permit. Subchapter 1 includes the following sections:

§11-60.1-1	Definitions
§11-60.1-2	Prohibition of air pollution
§11-60.1-3	General conditions for considering applications
§11-60.1-4	Certification
§11-60.1-5	Permit conditions
§11-60.1-6	Holding of permit
§11-60.1-7	Transfer of permit
§11-60.1-8	Reporting discontinuance

§11-60.1-9	Cancellation of a noncovered or covered source permit
§11-60.1-10	Permit termination, suspension, reopening, and amendment
§11-60.1-11	Sampling, testing, and reporting methods
§11-60.1-12	Air quality models
§11-60.1-13	Operations of monitoring stations
§11-60.1-14	Public access to information
§11-60.1-15	Reporting of equipment shutdown
§11-60.1-16	Prompt reporting of deviations
§11-60.1-17	Prevention of air pollution emergency episodes
§11-60.1-18	Variances
§11-60.1-19	Penalties and remedies
§11-60.1-20	Severability

Subchapter 2. General Prohibitions. The proposed provisions are based substantially on the provisions of the existing Chapter 11-60, but reflect some changes to clarify existing requirements and to reflect statutory changes in language. Subchapter 2 includes the following sections:

§11-60.1-31	Applicability
§11-60.1-32	Visible emissions
§11-60.1-33	Fugitive dust
§11-60.1-34	Motor vehicles
§11-60.1-35	Incineration
§11-60.1-36	Biomass fuel burning boilers
§11-60.1-37	Process industries
§11-60.1-38	Sulfur oxides from fuel combustion
§11-60.1-39	Storage of volatile organic compounds
§11-60.1-40	Volatile organic compound water separation

§11-60.1-41 Pump and compressor requirements

§11-60.1-42 Waste gas disposal

Subchapter 3. Open Burning. The proposed provisions are based substantially on the provisions of the existing Chapter 11-60, but reflect some changes to clarify existing requirements, and to add new definitions. The proposed provisions also allow the Director to regulate open burning by district rather than by island, restrict open burning for forest management to public agencies using prescribed burning procedures, require the Director's approval prior to allowing open burning for the purpose of abating a fire hazard, and provide for monetary and other penalties as set forth in sections 342B-42, 342B-44, 342B-47, and 342B-48, HRS, for the violation of an open burning permit of Subchapter 3. Subchapter 3 includes the following sections:

§11-60.1-51 Definitions

§11-60.1-52 General provisions

§11-60.1-53 Agricultural burning: permit requirement

§11-60.1-54 Agricultural burning: applications

§11-60.1-55 Agricultural burning: "no-burn" periods

§11-60.1-56 Agricultural burning: recordkeeping and monitoring

§11-60.1-57 Agricultural burning: action on application

Subchapter 4. Noncovered Sources. The proposed noncovered source provisions replace the current Authority to Construct and Permit to Operate permit process with a single permit process, which includes changes and clarifications to the requirements for applications, renewals, temporary sources, permit reopening and amendments, and public participation. A noncovered source is defined in Subchapter 1 and includes any structure that was built or modified after March 20, 1972, emits air pollutants, and is not a covered source. A covered source is defined in Subchapter 1 and includes the larger or higher impact sources of air pollution, including all major sources and all sources subject to a new source performance standard, emission standard for hazardous air pollutants, or prevention of significant deterioration

review. Except as provided in the sections for transition into the noncovered source permit program and temporary noncovered sources, a noncovered source permit is required prior to construction, reconstruction, modification, relocation, or operation of a noncovered source. The proposed provisions establish new requirements for noncovered sources and new permit conditions that are required to be incorporated into the noncovered source permit. The proposed provisions also allow the issuance of noncovered source general permits to regulate numerous similar noncovered sources with identical permits; and provide for the manner in which existing sources transition into the noncovered source permit program. Subchapter 4 includes the following sections:

§11-60.1-61	Definitions
§11-60.1-62	Applicability
§11-60.1-63	Initial noncovered source permit application
§11-60.1-64	Duty to supplement or correct permit applications
§11-60.1-65	Compliance plan
§11-60.1-66	Transition into the noncovered source permit program
§11-60.1-67	Permit term
§11-60.1-68	Permit content
§11-60.1-69	Temporary noncovered source permits
§11-60.1-70	Noncovered source general permits
§11-60.1-71	Transmission of information to the Administrator
§11-60.1-72	Permit reopening
§11-60.1-73	Public participation
§11-60.1-74	Noncovered source permit renewal applications
§11-60.1-75	Administrative permit amendment
§11-60.1-76	Applications for modifications

Subchapter 5. Covered Sources. The proposed covered source provisions replace the current Authority to Construct and Permit to Operate permit process with a single permit process, which includes changes and clarifications for applications, renewals, temporary sources, permit reopening and amendments, and public participation. All existing covered sources are required to submit an application for a covered source permit within ten months or less after the effective date of the proposed rules based on the source's Standard Industrial Classification Code. All new covered sources must obtain a covered source permit prior to the construction, reconstruction, modification, relocation, or operation of the covered source. The proposed covered source provisions establish new requirements for covered sources and new permit conditions which are required to be incorporated into the covered source permit. The proposed provisions also allow the issuance of covered source general permits to regulate numerous similar covered sources with identical permits; and provide the manner in which existing covered sources may operate and continue construction during the transition period of the covered source permit program.

Subchapter 5 includes the following sections:

§11-60.1-81	Definitions
§11-60.1-82	Applicability
§11-60.1-83	Initial covered source permit application
§11-60.1-84	Duty to supplement or correct permit applications
§11-60.1-85	Compliance plan
§11-60.1-86	Compliance certification of covered sources
§11-60.1-87	Transition period
§11-60.1-88	Action on applications submitted within one year of the effective date of this chapter
§11-60.1-89	Permit term
§11-60.1-90	Permit content
§11-60.1-91	Temporary covered source permits

§11-60.1-92	Covered source general permits
§11-60.1-93	Federally-enforceable permit terms and conditions
§11-60.1-94	Transmission of information to the Administrator
§11-60.1-95	EPA oversight
§11-60.1-96	Operational flexibility
§11-60.1-97	Emergency provision
§11-60.1-98	Permit reopening
§11-60.1-99	Public participation
§11-60.1-100	Public petitions
§11-60.1-101	Covered source permit renewal applications
§11-60.1-102	Administrative permit amendment
§11-60.1-103	Applications for minor modifications
§11-60.1-104	Applications for significant modifications

Subchapter 6 Fees for Covered Sources, Noncovered Sources, and Agricultural Burning.

The proposed provisions establish new requirements and schedules for the collection of fees to cover the direct and indirect cost to develop, support, and administer the air program. The new fee requirements and schedules include application and annual fees for covered and noncovered sources and application fees for agricultural burning permits. The new fee schedules have changed significantly from the existing fee schedules in Chapter 11-60. Subchapter 6 includes the following sections:

§11-60.1-111	Definitions
§11-60.1-112	General fee provisions for covered sources
§11-60.1-113	Application fees for covered sources
§11-60.1-114	Annual fees for covered sources
§11-60.1-115	Basis of annual fees for covered sources during calendar years 1994, 1995, and 1996

§11-60.1-116	Application fee credit for covered sources
§11-60.1-117	General fee provisions for noncovered sources
§11-60.1-118	Application fees for noncovered sources
§11-60.1-119	Annual fees for noncovered sources
§11-60.1-120	Application fee credit for noncovered sources
§11-60.1-121	Application fees for agricultural burning permits

Subchapter 7 Prevention of Significant Deterioration Review. The proposed provisions are based substantially upon the provisions of the existing Chapter 11-60, but reflect some changes to clarify existing requirements, to reflect statutory changes in language, and to add new definitions. Subchapter 7 includes the following sections:

§11-60.1-131	Definitions
§11-60.1-132	Source applicability
§11-60.1-133	Exemptions
§11-60.1-134	Ambient air increments
§11-60.1-135	Ambient air ceilings
§11-60.1-136	Restriction on area classifications
§11-60.1-137	Exclusions from increment consumption
§11-60.1-138	Redesignation
§11-60.1-139	Stack heights
§11-60.1-140	Control technology review
§11-60.1-141	Source impact analysis
§11-60.1-142	Air quality models
§11-60.1-143	Air quality analysis
§11-60.1-144	Source information
§11-60.1-145	Additional impact analyses
§11-60.1-146	Sources impacting Class I areas - additional requirements



§11-60.1-147	Public participation
§11-60.1-148	Source obligation
§11-60.1-149	Innovative control technology
§11-60.1-150	Permit rescission

Subchapter 8 Standards of Performance for Stationary Sources. The proposed provisions establish performance standards for stationary air pollution sources consistent with federal regulations, 40 CFR Part 60. The proposed provisions also establish performance standards and other requirements for municipal waste combustors consistent with federal guidelines.

Subchapter 8 includes the following sections:

§11-60.1-161	New source performance standards
§11-60.1-162	Existing municipal waste combustors

Subchapter 9 Hazardous Air Pollutant Sources. The proposed provisions establish requirements for hazardous air pollutant sources, including provisions for maximum achievable control technology, early reduction, and accidental releases. The proposed provisions also prevent sources from emitting hazardous air pollutants which may result in a significant ambient air concentration level, unless the source can establish that the significant ambient air concentration is inappropriate for the hazardous air pollutant in question and the source emissions will not result in or contribute to any ambient air concentration which endangers human health. The proposed provisions establish the significant ambient air concentration level for hazardous air pollutants and incorporates the national emission standards for hazardous air pollutants, 40 CFR Part 61. Subchapter 9 includes the following sections:

§11-60.1-171	Definitions
§11-60.1-172	List of hazardous air pollutants
§11-60.1-173	Applicability
§11-60.1-174	Maximum achievable control technology standards
§11-60.1-175	Equivalent maximum achievable control technology limitation

§11-60.1-176	Equivalent maximum achievable control technology limitation determination
§11-60.1-177	Early reduction
§11-60.1-178	Accidental releases
§11-60.1-179	Ambient air concentrations of hazardous air pollutants
§11-60.1-180	National emission standards for hazardous air pollutants

Interested persons are invited to attend the public hearings to make comments and recommendations on the proposed revisions to Hawaii Administrative Rules Chapter 11-59, the proposed repeal of Hawaii Administrative Rules Chapter 11-60, Air Pollution Control, and the proposed adoption of the new air pollution control provisions of Hawaii Administrative Rules Chapter 11-60.1. Persons desiring to testify are requested to submit two copies of their testimony prior to or at the public hearing. In addition, written comments will be accepted until October 2, 1993 at the Environmental Management Division, Attn: Clean Air Branch, Department of Health, P.O. Box 3378, Honolulu, HI 96801.

The hearings will be held on the following islands according to the indicated schedule:

September 27, 1993 6:00 p.m., Department of Health Conference Room, 3040 Umi Street, Lihue, Kauai.

September 28, 1993 6:00 p.m., Washington Intermediate School Cafeteria, 1633 S. King Street, Honolulu, Oahu.

September 29, 1993 6:00 p.m., Cameron Center, 95 Mahalani Street, Wailuku, Maui.

September 30, 1993 6:00 p.m., Konawaena High School Cafeteria, 81-1080 Konawaena Road, Kealahou, Hawaii.

October 1, 1993 6:00 p.m., Hilo State Office Building, 75 Aupuni Street, Hilo, Hawaii.

Copies of the proposed rules to be adopted, Hawaii Administrative Rules Chapter 11-60.1 and the proposed rule amendment, Hawaii Administrative Rules Chapter 11-59 may be obtained from the following offices during the hours of 7:45 a.m. to 4:15 p.m.:

1. Hawaii - Office of Chief Sanitarian, Department of Health, 1582 Kamehameha Avenue, Hilo; or Keakealani Building, Old Kona Hospital, Sanitation Branch, Kealahou.
2. Molokai - Department of Health, 65 Makaena Place, Kaunakakai.
3. Kauai - Office of Chief Sanitarian, Department of Health, 3040 Umi Street, Lihue.
4. Maui - Office of Chief Sanitarian, Department of Health, 54 High Street, Wailuku.
5. Oahu - Clean Air Branch, Department of Health, Five Waterfront Plaza, Suite 250B, 500 Ala Moana Boulevard, Honolulu.

Copies of the rules proposed to be repealed, Hawaii Administrative Rules Chapter 11-60 may also be reviewed or a copy obtained upon request from the aforementioned offices during the hours of 7:45 a.m. to 4:15 p.m.

A copy of the proposed rules to be adopted, the proposed rule amendment, and rules proposed to be repealed will be mailed at no cost to any interested person who requests a copy from the Clean Air Branch at the address noted above. Further information regarding the public hearings may also be obtained from the Clean Air Branch. Neighbor island residents may call toll free at 1-800-468-4644, extension 6-4200.

Any person with a hearing impairment desiring to attend the hearing may request the assistance of a sign language interpreter provided such request is made 72 hours prior to the scheduled hearing. This request may be made by writing to the Clean Air Branch, Department of Health, Five Waterfront Plaza, Suite 250B, 500 Ala Moana Boulevard, Honolulu, HI 96813 or by calling 586-4200 (voice) or 586-4408 (TDD).

JOHN C. LEWIN, M.D.

Director of Health



# NOTICE OF PUBLIC HEARING

## DEPARTMENT OF HEALTH STATE OF HAWAII (Docket No. R-7-93)

Pursuant to Chapter 91, Hawaii Revised Statutes, and other applicable laws, the Department of Health will hold public hearings to consider: 1) proposed revisions to the Hawaii Administrative Rules, Chapter 11-59, Ambient Air Quality Standards; 2) the proposed repeal of Hawaii Administrative Rules, Chapter 11-60, Air Pollution Control; and 3) the proposed adoption of Hawaii Administrative Rules, Chapter 11-60.1, Air Pollution Control.

The purpose of the proposed revisions to Chapter 11-59 is to replace the ambient air quality standard for suspended particulate matter with an ambient air quality standard for particles with an aerodynamic diameter less than or equal to a nominal ten micrometers, for consistency with the National Ambient Air Quality Standards.

The purpose of the proposed repeal of Chapter 11-60 is to adopt new air pollution control rules in a new chapter, Chapter 11-60.1. The existing provisions of Chapter 11-60 do not meet the requirements for implementing the 1990 Clean Air Act Amendments. The purpose of the proposed adoption of new air pollution control rules of Chapter 11-60.1 is to implement the requirements of the 1990 Clean Air Act Amendments, involving the establishment of new permitting requirements for covered sources and requirements for maximum achievable control technology for hazardous air pollutant emissions; collection of fees to cover the direct and indirect costs to develop, support, and administer the air permit program; establishment of performance standards for municipal waste combustors consistent with federal guidelines; and establishment of requirements for hazardous air pollutant sources. Chapter 11-60.1 also makes other changes to the current air pollution control requirements to include: 1) the establishment of new permitting and fee requirements for noncovered sources; 2) the modification of open burning requirements and fee structure; and 3) changes to general prohibitions and requirements, and prevention of significant deterioration review requirements.

The major proposed rule changes to Chapter 11-59 are summarized as follows:

**11-59.4. Ambient air quality standards.** An ambient air quality standard for particles with an aerodynamic diameter less than or equal to a nominal ten micrometers of fifty micrograms per cubic meter (twelve-month average) and one hundred fifty micrograms per cubic meter (twenty-four-hour average) is added. The ambient air quality standards for suspended particulate matter is deleted.

The proposed new air pollution control rules of Chapter 11-60.1 are intended to replace the existing Chapter 11-60 with nine new subchapters which are generally described as follows:

**Subchapter 1. General Requirements.** The proposed provisions are based substantially upon the provisions of the existing Chapter 11-60, but reflect some changes to clarify existing requirements, to reflect statutory changes in language, and to add new definitions associated with the proposed new requirements. Modifications were made to the existing general provisions for permits, and the circumstances under which a permit may be terminated, suspended, reopened, and amended. The proposed provisions also establish new or modified requirements regarding certification, administrative procedures for permit applicants claiming confidentiality on information submitted with the permit application, and the reporting of emission violations of Chapter 11-60.1 and the applicable permit. Subchapter 1 includes the following sections:

§11-60.1-1	Definitions
§11-60.1-2	Prohibition of air pollution
§11-60.1-3	General Conditions for considering applications
§11-60.1-4	Certification
§11-60.1-5	Permit conditions
§11-60.1-6	Holding of permit
§11-60.1-7	Transfer of permit
§11-60.1-8	Reporting discontinuance
§11-60.1-9	Cancellation of a noncovered or covered source permit
§11-60.1-10	Permit termination, suspension, reopening, and amendment
§11-60.1-11	Sampling, testing, and reporting methods
§11-60.1-12	Air quality models
§11-60.1-13	Operations of monitoring stations
§11-60.1-14	Public access to information
§11-60.1-15	Reporting of equipment shutdown
§11-60.1-16	Prompt reporting of deviations
§11-60.1-17	Prevention of air pollution emergency episodes
§11-60.1-18	Variances
§11-60.1-19	Penalties and remedies
§11-60.1-20	Severability

**Subchapter 2. General Prohibitions.** The proposed provisions are based substantially on the provisions of the existing Chapter 11-60, but reflect some changes to clarify existing requirements and to reflect statutory changes in language. Subchapter 2 includes the following sections:

§11-60.1-31	Applicability
§11-60.1-32	Visible emissions
§11-60.1-33	Fugitive dust
§11-60.1-34	Motor vehicles
§11-60.1-35	Incineration
§11-60.1-36	Biomass fuel burning boilers
§11-60.1-37	Process industries
§11-60.1-38	Sulfur oxides from fuel combustion
§11-60.1-39	Storage of volatile organic compounds
§11-60.1-40	Volatile organic compound water separation
§11-60.1-41	Pump and compressor requirements
§11-60.1-42	Waste gas disposal

**Subchapter 3. Open Burning.** The proposed provisions are based substantially on the provisions of the existing Chapter 11-60, but reflect some changes to clarify existing requirements, and to add new definitions. The proposed provisions also allow the Director to regulate open burning by district rather than by island, restrict open burning for forest management to public agencies using prescribed burning procedures, require the Director's approval prior to allowing open burning for the purpose of abating a fire hazard, and provide for monetary and other penalties as set forth in sections 342B-42, 342B-44, 342B-47, and 342B-48, HRS, for the violation of an open burning permit of Subchapter 3. Subchapter 3 includes the following sections:

§11-60.1-51	Definitions
§11-60.1-52	General provisions
§11-60.1-53	Agricultural burning: permit requirement
§11-60.1-54	Agricultural burning: applications
§11-60.1-55	Agricultural burning: "no-burn" periods
§11-60.1-56	Agricultural burning: recordkeeping and monitoring
§11-60.1-57	Agricultural burning: action on application

**Subchapter 4. Noncovered Sources.** The proposed noncovered source provisions replace the current Authority to Construct and Permit to Operate permit process with a single permit process, which includes changes and clarifications to the requirements for applications, renewals, temporary sources, permit reopening and amendments, and public participation. A noncovered source is defined in Subchapter 1 and includes any structure that was built or modified after March 20, 1972, emits air pollutants, and is not a covered source. A covered source is defined in Subchapter 1 and includes the larger or higher impact sources of air pollution, including all major sources and all sources subject to a new source performance standard, emission standard for hazardous air pollutants, or prevention of significant deterioration review. Except as provided in the sections for transition into the noncovered source permit program and temporary noncovered sources, a noncovered source permit is required prior to construction, reconstruction, modifications, relocation, or operation of a noncovered source. The proposed provisions establish new requirements for noncovered sources and new permit conditions that are required to be incorporated into the non covered source permit. The proposed provisions also allow the issuance of noncovered source general permits to regulate numerous similar noncovered sources with identical permits; and provide for the manner in which existing sources transition into the noncovered source permit program. Subchapter 4 includes the following sections:

§11-60.1-61	Definitions
§11-60.1-62	Applicability
§11-60.1-63	Initial noncovered source permit application
§11-60.1-64	Duty to supplement or correct permit applications
§11-60.1-65	Compliance plan
§11-60.1-66	Transition into the noncovered source permit program
§11-60.1-67	Permit term
§11-60.1-68	Permit content
§11-60.1-69	Temporary noncovered source permits
§11-60.1-70	Noncovered source general permits
§11-60.1-71	Transmission of information to the Administrator
§11-60.1-72	Permit reopening
§11-60.1-73	Public participation
§11-60.1-74	Noncovered source permit renewal applications
§11-60.1-75	Administrative permit amendment
§11-60.1-76	Applications for modifications

**Subchapter 5. Covered Sources.** The proposed covered source provisions replace the current Authority to Construct and Permit to Operate permit process with a single permit process, which includes changes and clarifications for applications, renewals, temporary sources, permit reopening and amendments, and public participation. All existing covered sources are required to submit an application for a covered source permit within ten months or less after the effective date of the proposed rules based on the source's Standard Industrial Classification Code. All new covered sources must obtain a covered source permit prior to the construction, reconstruction, modification, relocation, or operation of the covered source. The proposed covered source provisions establish new requirements for covered sources and new permit conditions which are required to be incorporated into the covered source permit. The proposed provisions also allow the issuance of covered source general permits to regulate numerous similar covered sources with identical permits, and provide the manner in which existing covered sources may operate and continue construction during the transition period of the covered source permit program. Subchapter 5 includes the following sections:

- §11-60.1-81 Definitions
- §11-60.1-82 Applicability
- §11-60.1-83 Initial covered source permit application
- §11-60.1-84 Duty to supplement or correct permit applications
- §11-60.1-85 Compliance plan
- §11-60.1-86 Compliance certification of covered sources
- §11-60.1-87 Transition period
- §11-60.1-88 Action on applications submitted within one year of the effective date of this chapter
- §11-60.1-89 Permit term
- §11-60.1-90 Permit content
- §11-60.1-91 Temporary covered source permits
- §11-60.1-92 Covered source general permits
- §11-60.1-93 Federally-enforceable permit terms and conditions
- §11-60.1-94 Transmission of information to the Administrator
- §11-60.1-95 EPA oversight
- §11-60.1-96 Operational flexibility
- §11-60.1-97 Emergency provision
- §11-60.1-98 Permit reopening
- §11-60.1-99 Public participation
- §11-60.1-100 Public petitions
- §11-60.1-101 Covered source permit renewal applications
- §11-60.1-102 Administrative permit amendment
- §11-60.1-103 Applications for minor modifications
- §11-60.1-104 Applications for significant modifications

**Subchapter 6 Fees for Covered Sources, Noncovered Sources, and Agricultural Burning.** The proposed provisions establish new requirements and schedules for the collection of fees to cover the direct and indirect cost to develop, support, and administer the air program. The new fee requirements and schedules include application and annual fees for covered and noncovered sources and application fees for agricultural burning permits. The new fee schedules have changed significantly from the existing fee schedules in Chapter 11-60. Subchapter 6 includes the following sections:

- §11-60.1-111 Definitions
- §11-60.1-112 General fee provisions for covered sources
- §11-60.1-113 Application fees for covered sources
- §11-60.1-114 Annual fees for covered sources
- §11-60.1-115 Basis of annual fees for covered sources during calendar years 1994, 1995, and 1996
- §11-60.1-116 Application fee credit for covered sources
- §11-60.1-117 General fee provisions for noncovered sources
- §11-60.1-118 Application fees for noncovered sources
- §11-60.1-119 Annual fees for noncovered sources
- §11-60.1-120 Application fee credit for noncovered sources
- §11-60.1-121 Application fees for agricultural burning permits

**Subchapter 7 Prevention of Significant Deterioration Review.** The proposed provisions are based substantially upon the provisions of the existing Chapter 11-60, but reflect some changes to clarify existing requirements, to reflect statutory changes in language, and to add new definitions. Subchapter 7 includes the following sections:

- §11-60.1-131 Definitions
- §11-60.1-132 Source applicability
- §11-60.1-133 Exemptions
- §11-60.1-134 Ambient air increments
- §11-60.1-135 Ambient air ceilings
- §11-60.1-136 Restriction on area classifications
- §11-60.1-137 Exclusions from increment consumption
- §11-60.1-138 Redesignation
- §11-60.1-139 Stack heights
- §11-60.1-140 Control technology review
- §11-60.1-141 Source impact analysis
- §11-60.1-142 Air quality models
- §11-60.1-143 Air quality analysis
- §11-60.1-144 Source information
- §11-60.1-145 Additional impact analyses
- §11-60.1-146 Sources impacting Class I areas - additional requirements
- §11-60.1-147 Public participation
- §11-60.1-148 Source obligation
- §11-60.1-149 Innovative control technology
- §11-60.1-150 Permit rescission

**Subchapter 8 Standards of Performance for Stationary Sources.** The proposed provisions establish performance standards for stationary air pollution sources consistent with federal regulations, 40 CFR Part 60. The proposed provisions also establish performance standards and other requirements for municipal waste combustors consistent with federal guidelines. Subchapter 8 includes the following sections:

- §11-60.1-161 New source performance standards
- §11-60.1-162 Existing municipal waste combustors

**Subchapter 9 Hazardous Air Pollutant Sources.** The proposed provisions establish requirements for hazardous air pollutant sources, including provisions for maximum achievable control technology, early reduction, and accidental releases. The proposed provisions also prevent sources from emitting hazardous air pollutants which may result in a significant ambient air concentration level, unless the source can establish that the significant ambient air concentration is inappropriate for the hazardous air pollutant in question and the source emissions will not result in or contribute to any ambient air concentration which endangers human health. The proposed provisions establish the significant ambient air concentration level for hazardous air pollutants and incorporates the national emission standards for hazardous air pollutants, 40 CFR Part 61. Subchapter 9 includes the following sections:

- §11-60.1-171 Definitions
- §11-60.1-172 List of hazardous air pollutants
- §11-60.1-173 Applicability
- §11-60.1-174 Maximum achievable control technology standards
- §11-60.1-175 Equivalent maximum achievable control technology limitation
- §11-60.1-176 Equivalent maximum achievable control technology limitation determination
- §11-60.1-177 Early reduction
- §11-60.1-178 Accidental releases
- §11-60.1-179 Ambient air concentrations of hazardous air pollutants
- §11-60.1-180 National emission standards for hazardous air pollutants

Interested persons are invited to attend the public hearings to make comments and recommendations on the proposed revisions to Hawaii Administrative Rules Chapter 11-59, the proposed repeal of Hawaii Administrative Rules Chapter 11-60, Air Pollution Control, and the proposed adoption of the new air pollution control provisions of Hawaii Administrative Rules Chapter 11-60.1. Persons desiring to testify are requested to submit two copies of their testimony prior to or at the public hearing. In addition, written comments will be accepted until October 2, 1993 at the Environmental Management Division, Attn: Clean Air Branch, Department of Health, P.O. Box 3378, Honolulu, HI 96801.

The hearings will be held on the following islands according to the indicated schedule:

- September 27, 1993 6:00 p.m., Department of Health Conference Room, 3040 Umi Street, Lihue, Kauai.

- September 28, 1993 6:00 p.m., Washington Intermediate School Cafeteria, 1633 S. King Street, Honolulu, Oahu.

- September 29, 1993 6:00 p.m., Cameron Center, 95 Mahalan Street, Wailuku, Maui.

- September 30, 1993 6:00 p.m., Konawaena High School Cafeteria, 81-1000 Konawaena Road, Kealahou, Hawaii.

- October 1, 1993 6:00 p.m., Hilo State Office Building, 75 Aupuni Street, Hilo, Hawaii.

Copies of the proposed rules to be adopted, Hawaii Administrative Rules Chapter 11-60.1 and the proposed rule amendment, Hawaii Administrative Rules Chapter 11-59 may be obtained from the following offices during the hours of 7:45 a.m. to 4:15 p.m.:

1. Hawaii - Office of Chief Sanitarian, Department of Health, 1502 Kamehameha Avenue, Hilo; or Keakealani Building, Old Kona Hospital, Sanitation Branch, Kealahou.
2. Molokai - Department of Health, 65 Makaena Place, Kaunakakai.
3. Kauai - Office of Chief Sanitarian, Department of Health, 3040 Umi Street, Lihue.
4. Maui - Office of Chief Sanitarian, Department of Health, 54 High Street, Wailuku.
5. Oahu - Clean Air Branch, Department of Health, Five Waterfront Plaza, Suite 250B, 500 Ala Moana Boulevard, Honolulu.

Copies of the rules proposed to be repealed, Hawaii Administrative Rules Chapter 11-60 may also be reviewed or a copy obtained upon request from the aforementioned offices during the hours of 7:45 a.m. to 4:15 p.m.

A copy of the proposed rules to be adopted, the proposed rule amendment, and rules proposed to be repealed will be mailed at no cost to any interested person who requests a copy from the Clean Air Branch at the address noted above. Further information regarding the public hearings may also be obtained from the Clean Air Branch. Neighbor island residents may call toll free at 1-800-468-4644, extension 6-4200.

Any person with a hearing impairment desiring to attend the hearing may request the assistance of a sign language interpreter provided such request is made 72 hours prior to the scheduled hearing. This request may be made by writing to the Clean Air Branch, Department of Health, Five Waterfront Plaza, Suite 250B, 500 Ala Moana Boulevard, Honolulu, HI 96813 or by calling 586-4200 (voice) or 586-4408 (TDD).

JOHN C. LEWIN, M.D.  
Director of Health

(Hon. Adv.: Aug. 27, 1993)

(A-22893)

IN THE DEPARTMENT OF HEALTH

STATE OF HAWAII

HEARING RE:	)	Docket No. R-7-93
	)	
PROPOSED REVISIONS TO THE HAWAII	)	October 12, 1993
ADMINISTRATIVE RULES, CHAPTER	)	
11-59; PROPOSED REPEAL OF HAWAII	)	
ADMINISTRATIVE RULES, CHAPTER	)	
11-60; AND PROPOSED ADOPTION OF	)	
HAWAII ADMINISTRATIVE RULES,	)	
CHAPTER 11-60.1	)	
	)	
	)	

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HEARINGS OFFICER'S REPORT

Public hearings to consider adoption of amendments to the above Administrative Rules were held as follows:

1. Monday, September 27, 1993; 6:00 PM  
Kauai District Health Office  
Department of Health Conference Room  
3040 Umi Street  
Lihue, Hawaii 96766
2. Tuesday, September 28, 1993; 6:00 PM  
Washington Intermediate School Cafeteria  
1633 South King Street  
Honolulu, Hawaii 96826
3. Wednesday, September 29, 1993; 6:00 PM  
Cameron Center  
95 Mahalani Street  
Wailuku, Maui
4. Thursday, September 30, 1993; 6:00 PM  
Konawaena High School Cafeteria  
81-1080 Konawaena School Road  
Kealahou, Hawaii 96750
5. Friday, October 1, 1993; 6:00 PM  
Hilo State Office Building  
75 Aupuni Street  
Hilo, Hawaii 96720

Each hearing was convened by Mr. Louis Erteschik, Hearings Officer for the Department of Health, who announced that the public notice of each hearing was published on or before August 27, 1993, in the West Hawaii Today, Hawaii Tribune Herald, the Maui News, Garden Island News, and the Honolulu Advertiser. A summary of the proposed amendments was presented by the Department of Health, Clean Air Branch at each hearing. At the conclusion of the presentation, Mr. Erteschik called for persons wishing to testify on the proposed changes to Chapters 11-59 and 11-60.

The following is a listing of the persons giving oral testimony:

Lihue, Kauai

Landis Ignacio  
Robin K. Robinson  
Jane Sezak

Honolulu, Oahu

Carolyn Conrad  
Tom Shaffer  
Jerry Kane

Kahalui, Maui

Sean M. O'Keefe	Timothy L. Carr
Elisha Belmont	Bill Smith
Tim Gerbracht	Steven Moser, M.D.
(Read letters from	Marc Drehsen
Ariadne H. Green and	Elbee Wave
Amanda Reid)	Elana Wave
Colleen Welty	Don Bradshaw
Shauna Roske	Milan Pavam
Mirra Roske	Steve Bonar
Jasmine Roske	Bobby McClintock
Joshua Rose	Philip Bailey
Harmony Roske	Nikhi Lananda
Isa Roske	
Sunny Page	
Adam Watson	

Kealahou, Hawaii

None

Hilo, Hawaii

James Ednie

At the conclusion of public testimony, Mr. Erteschik informed



all persons attending the hearings that written testimony must be received by the Department no later than the close of business October 2, 1993, to be recognized as official testimony to the amendments to Chapters 11-59 and 11-60.

The public was thanked for their input and the hearings were closed.

Subsequent to the public hearings, the following persons submitted written testimony:

L.D. MacCluer, Maui Pineapple Company, Ltd., Haliimaile Division

Ardyth Brock

Leighton G.M. Wong, Department of the Navy

F. David Hoffman, Jr., BHP Petroleum Americas (Hawaii) Inc.

Terry Meyer, Kapaa, HI

Herve' Fleisch, Maui Pineapple Company, Ltd., Agricultural Research Director

Steven Knox, President, Pineapple Growers Association of HI

Ronald L. Davies, Honolulu Resource Recovery Venture

Marc Drehsen, Kihei, HI

Stephanie A. Whalen, Hawaiian Sugar Planters' Association

Oahu Sugar Company, Ltd.

Richard F. Cameron, Hawaiian Commercial & Sugar Company

U.S. EPA

Subsequent to the expiration of the public comment period, the following testimony was received:

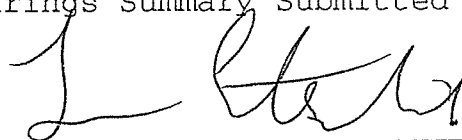
Nancy Matthews, Sierra Research, Sacramento, CA

Kenneth M. Rappolt, Director, Department of Public Works City and County of Honolulu, Division of Wastewater Management

Ronald P. Davis, Fire Chief, County of Maui

For a more detailed evaluation and recommendation by the Department in reponse to the public comments received on the proposed amendments to Chapter 11-59 and 11-60, I refer you to the enclosed Comments and Responses prepared by the Clean Air Branch.

Hearings Summary Submitted By:

A handwritten signature in dark ink, appearing to read "L. Erteschik", written over a horizontal line.

Louis Erteschik  
Hearings Officer

## Appendix D.

### Hawaii Department of Health Organizational Charts



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
ORGANIZATION CHART

DISABILITY & COMMUNICATION ACCESS BOARD\*  
STATE COUNCIL ON DEVELOPMENTAL DISABILITIES\*  
EXECUTIVE OFFICE ON AGING\*  
ENVIRONMENTAL COUNCIL\*  
OFFICE OF ENVIRONMENTAL QUALITY CONTROL\*

DIRECTOR OF HEALTH

BOARD OF HEALTH  
STATEWIDE HEALTH COORDINATING COUNCIL  
STATE HEALTH PLANNING AND DEVELOPMENT AGENCY\*\*  
SPECIAL ADVISORY COMMITTEES  
OFFICE OF LANGUAGE ACCESS\*

COMMUNICATION OFFICE

DEPUTY DIRECTOR OF HEALTH

ADMINISTRATIVE SERVICES OFFICE  
HUMAN RESOURCES OFFICE  
HEALTH INFORMATION SYSTEMS OFFICE  
OFFICE OF AFFIRMATIVE ACTION

KAUAI DISTRICT HEALTH OFFICE  
MAUI DISTRICT HEALTH OFFICE  
HAWAII DISTRICT HEALTH OFFICE

OFFICE OF PLANNING, POLICY & PROGRAM DEVELOPMENT  
OFFICE OF HEALTH STATUS MONITORING

TOBACCO SETTLEMENT PROJECT HEALTHY HAWAII INITIATIVE

HEALTH RESOURCES ADMINISTRATION

FAMILY HEALTH SERVICES DIVISION  
CHILDREN WITH SPECIAL HEALTH NEEDS BRANCH  
MATERNAL AND CHILD HEALTH BRANCH  
WIC SERVICES BRANCH

DEVELOPMENTAL DISABILITIES DIVISION  
CASE MANAGEMENT BRANCH  
COMMUNITY RESOURCES BRANCH  
OUTCOMES & COMPLIANCE BRANCH  
HOSPITAL & COMMUNITY DENTAL SERVICES BRANCH

DISEASE OUTBREAK CONTROL DIVISION  
DISEASE INVESTIGATION BRANCH  
IMMUNIZATION BRANCH  
BIOTERRORISM PREPAREDNESS & RESPONSE BRANCH  
EMERGENCY MEDICAL SERVICES & INJURY PREVENTION SYSTEM BRANCH

ENVIRONMENTAL HEALTH ADMINISTRATION

HAZARD EVALUATION AND EMERGENCY RESPONSE OFFICE  
ENVIRONMENTAL RESOURCES OFFICE  
ENVIRONMENTAL HEALTH SERVICES DIVISION  
VECTOR CONTROL BRANCH  
SANITATION BRANCH  
INDOOR & RADIOLOGICAL HEALTH BRANCH  
FOOD AND DRUG BRANCH

ENVIRONMENTAL PLANNING OFFICE  
COMPLIANCE ASSISTANCE OFFICE  
ENVIRONMENTAL MANAGEMENT DIVISION  
CLEAN AIR BRANCH  
CLEAN WATER BRANCH  
SAFE DRINKING WATER BRANCH  
SOLID AND HAZARDOUS WASTE BRANCH  
WASTEWATER BRANCH

OFFICE OF HEALTH CARE ASSURANCE

STATE LABORATORIES DIVISION  
ENVIRONMENTAL HEALTH ANALYTICAL SERVICES BRANCH  
MEDICAL MICROBIOLOGY BRANCH

BEHAVIORAL HEALTH ADMINISTRATION

ADULT MENTAL HEALTH DIVISION  
OAHU COMMUNITY MENTAL HEALTH CENTER BRANCH  
COURTS AND CORRECTIONS BRANCH  
HAWAII STATE HOSPITAL BRANCH  
ALCOHOL AND DRUG ABUSE DIVISION  
PREVENTION BRANCH  
TREATMENT AND RECOVERY BRANCH  
CHILD AND ADOLESCENT MENTAL HEALTH DIVISION  
CENTRAL OAHU FGCB\*\*  
HONOLULU FGCB  
LEEWARD OAHU FGCB  
WINDWARD OAHU FGCB  
HAWAII FGCB  
MAUI FGCB  
KAUAI FGCB  
FAMILY COURT LIAISON BRANCH

ACT 262, S.H. 1996 ESTABLISHED THE HAWAII HEALTH SYSTEMS CORPORATION, WHICH SHALL BE A PUBLIC BODY CORPORATE AND POLITIC AND AN INSTRUMENTALITY AND AGENCY OF THE STATE. THE CORPORATION SHALL BE PLACED WITHIN THE DEPARTMENT OF HEALTH FOR THE ADMINISTRATIVE PURPOSES SPECIFIED IN SECTION 26-35(6), HRS ONLY.

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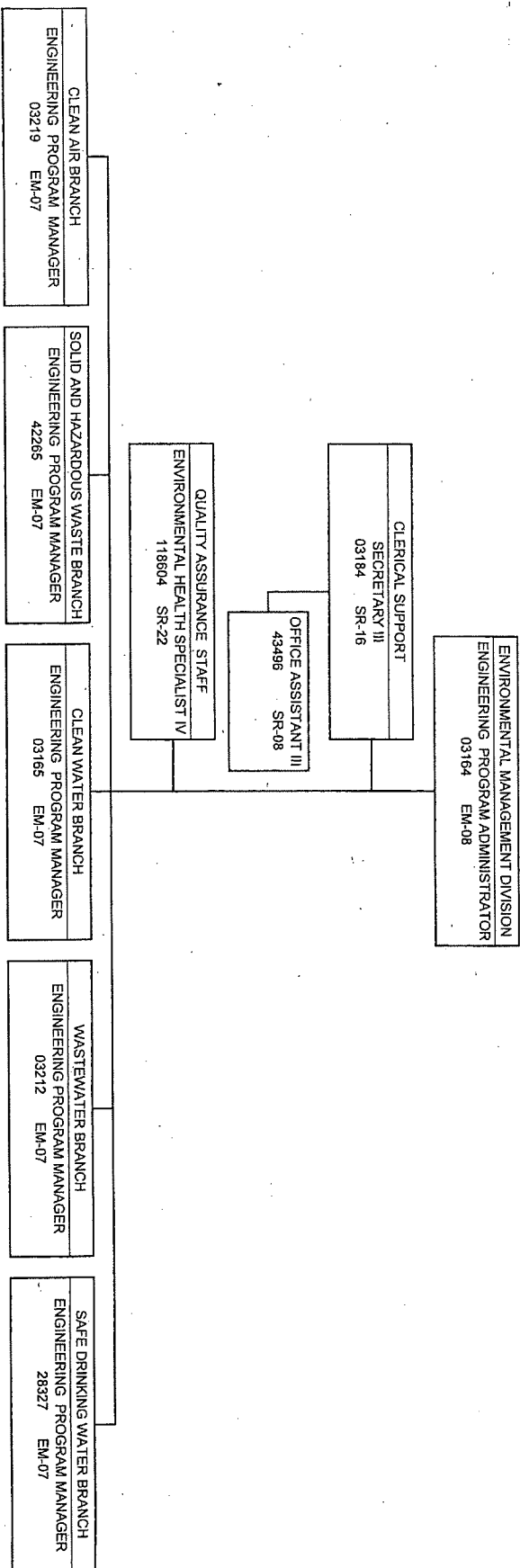
ACT 262, S.I.H 1996 ESTABLISHED THE HAWAII HEALTH SYSTEMS CORPORATION, WHICH SHALL BE A PUBLIC BODY CORPORATE AND POLITIC AND AN INSTRUMENTALITY AND AGENCY OF THE STATE. THE CORPORATION SHALL BE PLACED WITHIN THE DEPARTMENT OF HEALTH FOR THE ADMINISTRATIVE PURPOSES SPECIFIED IN SECTION 26-35(6) HRS. ONLY

• ASSIGNED FOR ADMINISTRATIVE PURPOSES.

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5/9/13

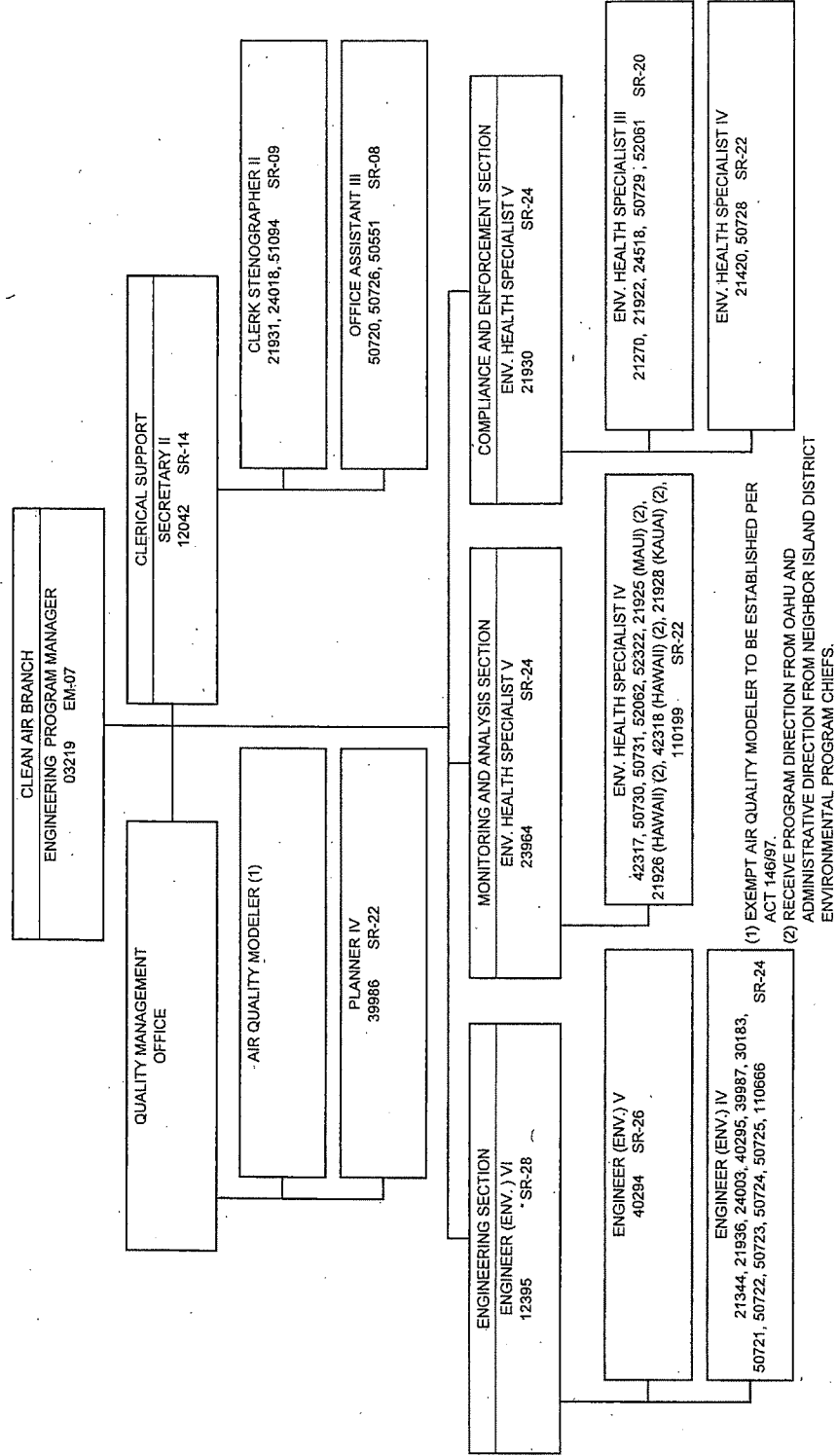
JUN 30 2013

STATE OF HAWAII  
 DEPARTMENT OF HEALTH  
 ENVIRONMENTAL HEALTH ADMINISTRATION  
 ENVIRONMENTAL MANAGEMENT DIVISION  
 POSITION ORGANIZATION CHART



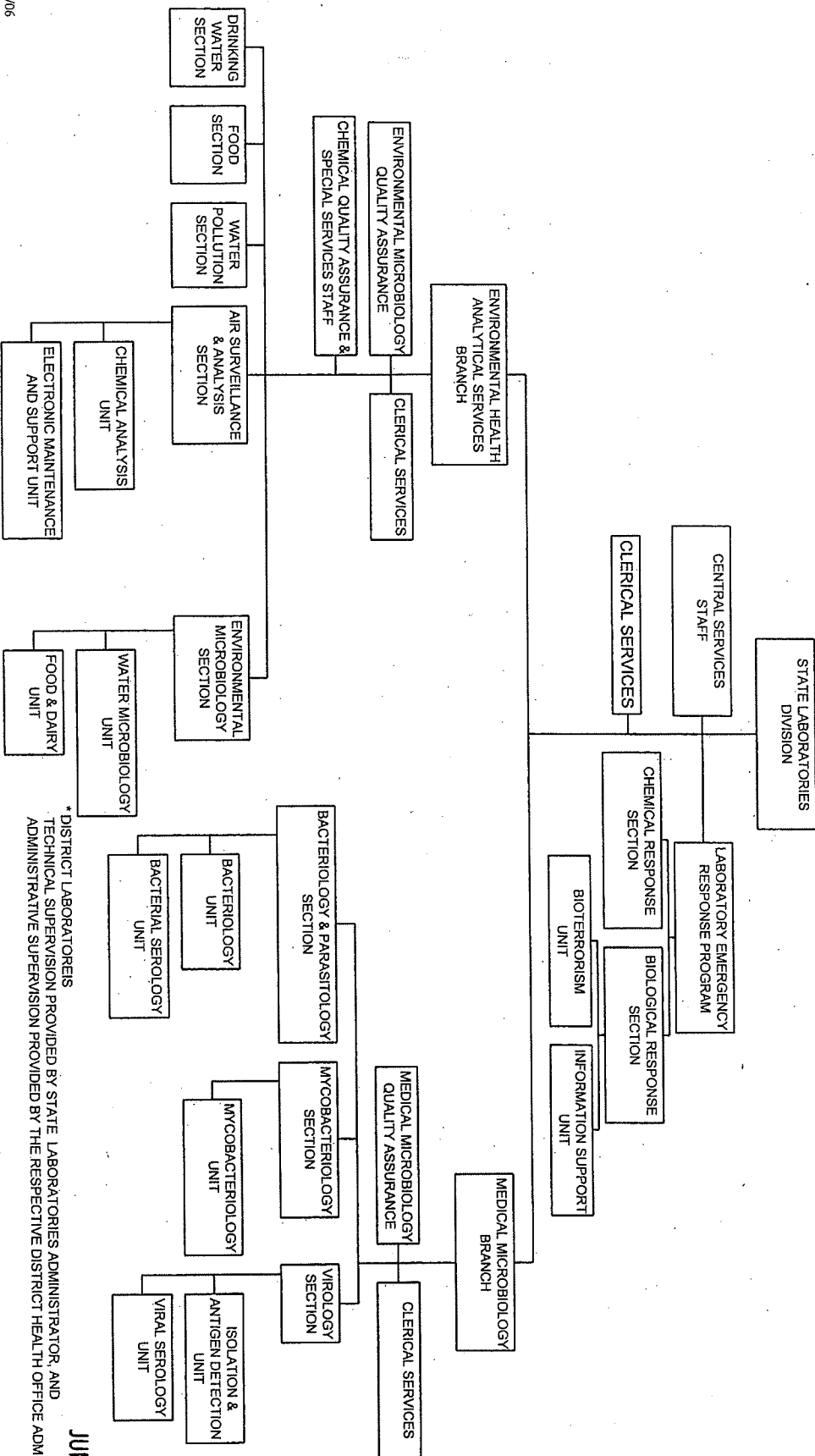
STATE OF HAWAII  
DEPARTMENT OF HEALTH  
ENVIRONMENTAL HEALTH ADMINISTRATION  
ENVIRONMENTAL MANAGEMENT DIVISION  
CLEAN AIR BRANCH

POSITION ORGANIZATION CHART



JUN 30 2013

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
ENVIRONMENTAL HEALTH ADMINISTRATION  
STATE LABORATORIES DIVISION  
ORGANIZATION CHART



JUN 30 2013



## Appendix E.

### Hawaii Ambient Air Quality Data: Ozone & Nitrogen Dioxide 1971-2013



User ID: KGQ

QUICKLOOK CRITERIA PARAMETERS

Report Request ID: 1162692      Report Code: AMP450      Jan. 6, 2014

GEOGRAPHIC SELECTIONS									
Tribal Code	State	County	Site	Parameter	POC	City	AQCR	UAR	CSA
									Region
									EPA

15

PROTOCOL SELECTIONS			
Parameter Classification	Parameter	Method	Duration
QUICK LOOK	42602		
QUICK LOOK	44201		

AGENCY SELECTIONS	
Hawaii State Department Of Health	

SELECTED OPTIONS	
Option Type	Option Value

WORKFILE DELIMITER  
MERGE PDF FILES  
EVENTS PROCESSING  
EXCLUDE REGIONALLY CONCURRENT EVENTS

SORT ORDER	
Order	Column
1	PARAMETER_CODE
2	STATE_CODE
3	COUNTY_CODE
4	SITE_ID
5	POC
6	DATES
7	EDT_ID

GLOBAL DATES	
Start Date	End Date
1971	2013

APPLICABLE STANDARDS	
Standard Description	
NO2 1-hour	
NO2 Annual 1971	
Ozone 1-hour Daily 2005	
Ozone 8-Hour 2008	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
AIR QUALITY SYSTEM  
QUICK LOOK REPORT (AMP450)

Jan. 6, 2014

EXCEPTIONAL DATA TYPES

EDT	DESCRIPTION
0	NO EVENTS
1	EVENTS EXCLUDED
2	EVENTS INCLUDED
5	EVENTS WITH CONCURRENCE EXCLUDED

Note: The \* indicates that the mean does  
not satisfy summary criteria.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
AIR QUALITY SYSTEM  
QUICK LOOK REPORT (AMP450)

Jan. 6, 2014

Nitrogen dioxide (NO2) (42602)				Hawaii				Parts per billion (008)								
SITE ID	P O C	FQAO	CITY	COUNTY	ADDRESS	YEAR	METH	COMP QTRS	1ST MAX 1-HR	2ND MAX 1-HR	98TH PCTL	OBS	PCT		CERT	
													COMP	ARITH and	MEAN	EVAL EDT
15-001-1001	3	0481	Hawaii Volcanoes	Hawaii	HAWAII VOLCANOES	1975	084					11	18	1.99*	0	
15-003-0010	1	0481	National Park	Honolulu	NATIONAL PARK	1992	074	0	45.0	27.0	45.0	524	6	4.36*	0	
15-003-0010	1	0481	Not in a city	Honolulu	LAUWILIWILI ST	1993	074	1	41.0	38.0	36.0	3770	43	6.26*	0	
15-003-0010	1	0481	Not in a city	Honolulu	LAUWILIWILI ST	1994	074	3	32.0	31.0	28.0	6505	74	4.02*	0	
15-003-0010	1	0481	Not in a city	Honolulu	LAUWILIWILI ST	1995	074	4	31.0	30.0	25.0	8485	97	4.12	0	
15-003-0010	1	0481	Not in a city	Honolulu	LAUWILIWILI ST	1996	074	3	19.0	19.0	16.0	7610	87	1.07	0	
15-003-0010	1	0481	Not in a city	Honolulu	LAUWILIWILI ST	1997	074	4	36.0	31.0	28.0	8450	96	4.42	0	
15-003-0010	1	0481	Not in a city	Honolulu	LAUWILIWILI ST	1998	074	4	36.0	31.0	27.0	8006	91	4.09	0	
15-003-0010	1	0481	Not in a city	Honolulu	LAUWILIWILI ST	1999	074	4	31.0	30.0	27.0	8327	95	3.84	0	
15-003-0010	1	0481	Not in a city	Honolulu	LAUWILIWILI ST	2000	074	3	30.0	30.0	25.0	7213	82	4.96	0	
15-003-0010	1	0481	Not in a city	Honolulu	LAUWILIWILI ST	2001	074	4	29.0	29.0	26.0	8343	95	4.50	0	
15-003-0010	1	0481	Not in a city	Honolulu	LAUWILIWILI ST	2002	074	3	28.0	25.0	23.0	7279	83	4.98	0	
15-003-0010	1	0481	Not in a city	Honolulu	LAUWILIWILI ST	2003	074	4	35.0	33.0	26.0	8120	93	4.73	0	
15-003-0010	1	0481	Not in a city	Honolulu	LAUWILIWILI ST	2004	074	4	25.0	24.0	23.0	7880	90	4.86	0	
15-003-0010	1	0481	Not in a city	Honolulu	LAUWILIWILI ST	2005	074	4	37.0	33.0	24.0	8660	99	5.00	0	
15-003-0010	1	0481	Not in a city	Honolulu	LAUWILIWILI ST	2006	074	4	35.0	33.0	24.0	8663	99	4.88	0	

Note: The \* indicates that the mean does not satisfy summary criteria.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
AIR QUALITY SYSTEM  
QUICK LOOK REPORT (AMP450)

Jan. 6, 2014

Nitrogen dioxide (NO2) (42602)

Hawaii

Parts per billion (008)

SITE ID	P O C	POAO	CITY	COUNTY	ADDRESS	YEAR	METH	COMP QTRS	1ST MAX 1-HR	2ND MAX 1-HR	98TH PCTL	OBS	PCT COMP	CERT	
														ARITH	and EVAL EDT
15-003-0010	1	0481	Not in a city	Honolulu	2052 LAUWILIWILI ST	2007	074	4	36.0	30.0	26.0	8486	97	4.68	0
15-003-0010	1	0481	Not in a city	Honolulu	2052 LAUWILIWILI ST	2008	074	3	30.0	29.0	26.0	7175	82	4.14	0
15-003-0010	1	0481	Not in a city	Honolulu	2052 LAUWILIWILI ST	2009	074	4	31.0	30.0	26.0	8062	92	4.26	0
15-003-0010	1	0481	Not in a city	Honolulu	2052 LAUWILIWILI ST	2010	074	4	33.0	27.0	24.0	7773	89	3.41	0
15-003-0010	1	0481	Not in a city	Honolulu	2052 LAUWILIWILI ST	2011	074	4	25.0	25.0	22.0	8476	97	2.87	0
15-003-0010	1	0481	Not in a city	Honolulu	2052 LAUWILIWILI ST	2012	074	4	27.0	23.0	19.0	8190	93	2.85	0
15-003-0010	1	0481	Not in a city	Honolulu	2052 LAUWILIWILI ST	2013	074	3	31.0	30.0	24.0	5913	68	2.75*	0
15-003-0011	1	0481	Not in a city	Honolulu	COURSE KO'OLINA GOLF	1993	074	1	36.0	31.0	28.0	5686	65	3.06*	0
15-003-0011	1	0481	Not in a city	Honolulu	COURSE KO'OLINA GOLF	1994	074	2	25.0	25.0	22.0	6715	77	3.41	0
15-003-0011	1	0481	Not in a city	Honolulu	COURSE KO'OLINA GOLF	1995	074	1	28.0	27.0	24.0	3008	34	3.84*	0
15-003-0011	1	0481	Not in a city	Honolulu	COURSE KO'OLINA GOLF	1996	074	2	36.0	23.0	21.0	6426	73	1.54*	0
15-003-0011	1	0481	Not in a city	Honolulu	COURSE KO'OLINA GOLF	1997	074	2	26.0	25.0	21.0	6415	73	2.65*	0
15-003-0011	1	0481	Not in a city	Honolulu	COURSE KO'OLINA GOLF	1998	074	3	25.0	24.0	20.0	7030	80	2.36	0
15-003-0011	1	0481	Not in a city	Honolulu	COURSE KO'OLINA GOLF	1999	074	2	27.0	25.0	24.0	6721	77	2.00	0
15-003-0011	1	0481	Not in a city	Honolulu	COURSE KO'OLINA GOLF	2000	074	4	26.0	26.0	22.0	8104	92	3.20	0
15-003-0011	1	0481	Not in a city	Honolulu	COURSE KO'OLINA GOLF	2001	074	4	37.0	32.0	23.0	8468	97	3.41	0
15-003-0011	1	0481	Not in a city	Honolulu	COURSE KO'OLINA GOLF	2002	074	4	38.0	31.0	26.0	8553	98	4.21	0

Note: The \* indicates that the mean does not satisfy summary criteria.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
AIR QUALITY SYSTEM  
QUICK LOOK REPORT (AMP450)

Jan. 6, 2014

Nitrogen dioxide (NO2) (42602)					Hawaii				Parts per billion (008)									
SITE ID	P O C	PQAO	CITY	COUNTY	ADDRESS	YEAR	METH	COMP QTRS	1ST		2ND		98TH		PCT		CERT	
									MAX 1-HR	1-HR	MAX 1-HR	1-HR	PCTL	OBS	COMP	ARITH and MEAN EVAL EDT		
15-003-0011	1	0481	Not in a city	Honolulu	CO OLINA GOLF COURSE	2003	074	4	40.0	34.0	27.0	8389	96	4.11	N	0		
15-003-0011	1	0481	Not in a city	Honolulu		2004	074	4	28.0	26.0	21.0	8580	98	3.29	Y	0		
15-003-0011	1	0481	Not in a city	Honolulu		2005	074	3	39.0	36.0	27.0	8087	92	3.16	Y	0		
15-003-0011	1	0481	Not in a city	Honolulu		2006	074	4	52.0	34.0	30.0	7419	85	3.26	Y	0		
15-003-0011	1	0481	Not in a city	Honolulu		2007	074	4	32.0	28.0	24.0	8373	96	2.87	Y	0		
15-003-0011	1	0481	Not in a city	Honolulu	CO OLINA GOLF COURSE	2008	074	4	24.0	22.0	18.0	8289	94	2.77		0		
15-003-0011	1	0481	Not in a city	Honolulu		2009	074	4	34.0	31.0	26.0	7665	88	3.40		0		
15-003-0011	1	0481	Not in a city	Honolulu		2010	074	4	29.0	25.0	20.0	8114	93	1.81		0		
15-003-0011	1	0481	Not in a city	Honolulu		2011	074	1	23.0	21.0	21.0	1725	20	2.12*		0		
15-003-1004	1	0481	Honolulu	Honolulu		1039 SAND ISLAND PARKWAY	1981	011	0	41.0	36.0	41.0	1010	12	2.57*		0	
15-007-0007	1	0481	Not in a city	Kauai	2342 HULEMALU ROAD, KAUAI	2011	099	3	38.9	38.4	31.1	5982	68	2.82*		0		
15-007-0007	1	0481	Not in a city	Kauai	2342 HULEMALU ROAD, KAUAI	2012	099	3	42.3	38.5	32.1	7430	85	2.85		0		
15-007-0007	1	0481	Not in a city	Kauai	2342 HULEMALU ROAD, KAUAI	2013	099	3	40.0	35.4	33.4	6356	73	2.42*		0		

Note: The \* indicates that the mean does not satisfy summary criteria.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
AIR QUALITY SYSTEM  
QUICK LOOK REPORT (AMP450)

Jan. 6, 2014

Ozone (44201)

Hawaii

Parts per million (007)

1-HOUR

SITE ID	C	POAO	CITY	COUNTY	ADDRESS	YEAR	METH	MEAS	REQ	VALID		1ST	2ND	3RD	4TH	DAY	EST	MISS	CERT
										DAYS	NUM	MAX	MAX	MAX	MAX	MAX>	DAYS>	DAYS<	and
P	O											1-HR	1-HR	1-HR	1-HR	STD	STD	STD	EDT
15-003-0010	1	0481	Not in a city	Honolulu	2052 LAUWILIWILI ST	2011	187	284	365	.064	.061	.058	.057	0	0.0	4	0		
15-003-0010	1	0481	Not in a city	Honolulu	2052 LAUWILIWILI ST	2012	000	346	366	.052	.052	.051	.049	0	0.0	9	0		
15-003-0010	1	0481	Not in a city	Honolulu	2052 LAUWILIWILI ST	2013	047	269	365	.063	.061	.055	.052	0	0.0	4	0		
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1980	000	46	366	.033	.032	.028	.024	0	0.0	0	0		
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1981	014	314	365	.053	.045	.041	.041	0	0.0	7	0		
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1982	014	336	365	.077	.074	.051	.045	0	0.0	14	0		
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1983	014	358	365	.063	.059	.049	.047	0	0.0	3	0		
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1984	014	348	366	.176	.066	.053	.047	1	1.0	5	0		
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1985	014	344	365	.101	.062	.052	.047	0	0.0	13	0		
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1986	014	358	365	.045	.043	.042	.042	0	0.0	5	0		
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1987	014	344	365	.045	.044	.043	.043	0	0.0	9	0		
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1988	014	355	366	.047	.025	.022	.022	0	0.0	4	Y	0	
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1989	014	340	365	.089	.048	.030	.027	0	0.0	12	0		
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1990	014	338	365	.059	.053	.046	.045	0	0.0	12	Y	0	
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1991	019	315	365	.053	.050	.047	.047	0	0.0	9	0		
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1992	019	308	366	.064	.059	.058	.053	0	0.0	25	0		
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1993	019	309	365	.057	.055	.054	.053	0	0.0	15	0		

Note: The \* indicates that the mean does not satisfy summary criteria.



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## AIR QUALITY SYSTEM

## QUICK LOOK REPORT (AMP450)

Jan. 6, 2014

Ozone (44201)

Hawaii

Parts per million (007)

1-HOUR

SITE ID	P O C	POAO	CITY	COUNTY	ADDRESS	YEAR	METH	VALID DAYS	NUM DAYS	1ST MAX 1-HR	2ND MAX 1-HR	3RD MAX 1-HR	4TH MAX 1-HR	DAY MAX> STD	EST DAYS> STD	MISS DAYS< STD	CERT and EVAL
15-003-1004	2	0481	Honolulu	Honolulu	ISLAND PARKWAY	1994	019	349	365	.056	.055	.054	.054	0	0.0	3	0
15-003-1004	2	0481	Honolulu	Honolulu	ISLAND PARKWAY	1995	019	238	365	.060	.056	.055	.055	0	0.0	2	0
15-003-1004	2	0481	Honolulu	Honolulu	ISLAND PARKWAY	1996	019	347	366	.047	.047	.046	.045	0	0.0	1	0
15-003-1004	2	0481	Honolulu	Honolulu	ISLAND PARKWAY	1997	019	362	365	.054	.053	.053	.053	0	0.0	1	0
15-003-1004	2	0481	Honolulu	Honolulu	ISLAND PARKWAY	1998	019	363	365	.058	.056	.054	.052	0	0.0	2	0
15-003-1004	2	0481	Honolulu	Honolulu	ISLAND PARKWAY	1999	019	359	365	.056	.054	.052	.051	0	0.0	1	0
15-003-1004	2	0481	Honolulu	Honolulu	ISLAND PARKWAY	2000	019	355	366	.050	.048	.047	.047	0	0.0	2	0
15-003-1004	2	0481	Honolulu	Honolulu	ISLAND PARKWAY	2001	019	352	365	.053	.051	.046	.046	0	0.0	3	0
15-003-1004	2	0481	Honolulu	Honolulu	ISLAND PARKWAY	2002	019	356	365	.054	.053	.050	.048	0	0.0	4	0
15-003-1004	2	0481	Honolulu	Honolulu	ISLAND PARKWAY	2003	019	360	365	.054	.047	.046	.043	0	0.0	0	0
15-003-1004	2	0481	Honolulu	Honolulu	ISLAND PARKWAY	2004	019	354	366	.060	.052	.052	.051	0	0.0	2	0
15-003-1004	2	0481	Honolulu	Honolulu	ISLAND PARKWAY	2005	019	361	365	.059	.055	.047	.044	0	0.0	1	0
15-003-1004	2	0481	Honolulu	Honolulu	ISLAND PARKWAY	2006	000	354	365	.044	.044	.043	.043	0	0.0	4	0
15-003-1004	2	0481	Honolulu	Honolulu	ISLAND PARKWAY	2007	047	358	365	.041	.040	.038	.038	0	0.0	2	0
15-003-1004	2	0481	Honolulu	Honolulu	ISLAND PARKWAY	2008	047	307	366	.059	.053	.047	.047	0	0.0	4	0
15-003-1004	2	0481	Honolulu	Honolulu	ISLAND PARKWAY	2009	047	347	365	.055	.052	.052	.051	0	0.0	3	0

Note: The \* indicates that the mean does not satisfy summary criteria.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
AIR QUALITY SYSTEM  
QUICK LOOK REPORT (AMP450)

Jan. 6, 2014

Ozone (44201)

Hawaii

Parts per million (007)

1-HOUR

SITE ID	P O C	POAO CITY	COUNTY	ADDRESS	YEAR	METH	MEAS	REQ	VALID				1ST MAX 1-HR	2ND MAX 1-HR	3RD MAX 1-HR	4TH MAX 1-HR	DAY MAX> STD	EST DAYS> STD	MISS DAYS< STD	CERT and EVAL	EDT
									NUM	DAYS	DAYS	DAYS									
15-003-1004	2	0481	Honolulu	1039 SAND ISLAND PARKWAY	2010	047	364	365	.055	.051	.051	.050	0	0.0	1	0					
15-003-1004	2	0481	Honolulu	1039 SAND ISLAND PARKWAY	2011	047	350	365	.053	.051	.048	.048	0	0.0	6	0					
15-003-1004	2	0481	Honolulu	1039 SAND ISLAND PARKWAY	2012	047	340	366	.047	.046	.046	.046	0	0.0	2	0					
15-003-1004	2	0481	Honolulu	1039 SAND ISLAND PARKWAY	2013	047	270	365	.120	.057	.056	.054	0	0.0	1	0					

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Ozone (44201)

Hawaii

Parts per million (007)

8-HOUR

STATE ID	P O C	PQAO	CITY	COUNTY	ADDRESS	YEAR	METH	%OBS	VALID DAYS	NUM DAYS REQ	1ST MAX 8-HR	2ND MAX 8-HR	3RD MAX 8-HR	4TH MAX 8-HR	DAY MAX STD	CERT and EVAL EDT
15-003-0010	1	0481	Not in a city	Honolulu	2052 LAUWILIWILI ST	2011	187	76	276	365	.056	.053	.050	.050	0	0
15-003-0010	1	0481	Not in a city	Honolulu	2052 LAUWILIWILI ST	2012	000	93	339	366	.049	.048	.048	.048	0	0
15-003-0010	1	0481	Not in a city	Honolulu	2052 LAUWILIWILI ST	2013	047	73	265	365	.057	.052	.051	.051	0	0
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND LAUWILIWILI ST	1980	000	13	46	366	.024	.023	.022	.022	0	0
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1981	014	84	305	365	.031	.030	.030	.029	0	0
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1982	014	91	331	365	.067	.061	.038	.032	0	0
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1983	014	98	357	365	.043	.042	.041	.040	0	0
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1984	014	93	341	366	.041	.039	.038	.038	0	0
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1985	014	92	334	365	.038	.038	.037	.037	0	0
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1986	014	97	353	365	.037	.035	.035	.033	0	0
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1987	014	91	331	365	.040	.040	.038	.038	0	0
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1988	014	95	347	366	.020	.009	.009	.009	0	Y
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1989	014	90	328	365	.029	.022	.016	.013	0	0
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1990	014	90	330	365	.041	.039	.036	.034	0	Y
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1991	019	83	303	365	.046	.043	.041	.041	0	0
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1992	019	72	264	366	.051	.050	.047	.046	0	0
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1993	019	78	285	365	.051	.050	.049	.049	0	0

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Jan. 6, 2014

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Hawaii

Parts per million (007)

8-HOUR

8-HOUR																			
P O C		FOAO		CITY	COUNTY	ADDRESS	YEAR	METH	%OBS	VALID DAYS	NUM DAYS	1ST MAX 8-HR	2ND MAX 8-HR	3RD MAX 8-HR	4TH MAX 8-HR	DAY MAX> STD	CERT and EVAL	EDT	
SITE ID																			
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1994	019	94	342	365	.054	.052	.052	.052	.052	0	0	0	
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1995	019	64	234	365	.053	.052	.052	.052	.051	0	Y	0	
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1996	019	94	344	366	.044	.043	.041	.041		0		0	
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1997	019	99	363	365	.050	.050	.048	.047		0	Y	0	
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1998	019	99	363	365	.050	.050	.049	.049		0	Y	0	
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	1999	019	98	357	365	.050	.049	.049	.048		0	Y	0	
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	2000	019	96	351	366	.048	.046	.044	.044		0	Y	0	
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	2001	019	95	345	365	.046	.043	.042	.042		0	Y	0	
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	2002	019	97	353	365	.045	.044	.043	.043		0		0	
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	2003	019	98	359	365	.040	.039	.039	.038		0		0	
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	2004	019	96	350	366	.056	.050	.048	.046		0	Y	0	
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	2005	019	99	361	365	.046	.043	.042	.042		0	Y	0	
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	2006	000	97	354	365	.042	.041	.041	.040		0	Y	0	
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	2007	047	97	355	365	.036	.035	.034	.033		0	Y	0	
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	2008	047	83	304	366	.050	.048	.045	.041		0		0	
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	2009	047	93	341	365	.049	.048	.048	.048		0		0	
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	2010	047	100	364	365	.052	.048	.047	.047		0		0	

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
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Ozone (44201)

Hawaii

Parts per million (007)

8-HOUR

SITE ID	P O C	PQAO	CITY	COUNTY	ADDRESS	YEAR	METH	%OBS	VALID DAYS MEAS	NUM DAYS REQ	1ST MAX 8-HR	2ND MAX 8-HR	3RD MAX 8-HR	4TH MAX 8-HR	DAY MAX> STD	CERT and EVAL EDT
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	2011	047	95	347	365	.047	.047	.047	.046	0	0
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	2012	047	92	336	366	.045	.044	.044	.043	0	0
15-003-1004	2	0481	Honolulu	Honolulu	1039 SAND ISLAND PARKWAY	2013	047	73	268	365	.051	.050	.047	.047	0	0

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not satisfy summary criteria.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
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Jan. 6, 2014

METHODS USED IN THIS REPORT

PARAMETER	METHOD CODE	COLLECTION METHOD	ANALYSIS METHOD
42602	011	INSTRUMENTAL	COLORIMETRIC-LYSHKOW (MOD)
42602	074	INSTRUMENTAL	CHEMILUMINESCENCE
42602	084	GAS-BUBBLER	NASN SODIUM ARSENITE-ORIFICE
42602	099	INSTRUMENTAL	GAS PHASE CHEMILUMINESCENCE
44201	000	MULTIPLE METHODS	MULTIPLE METHODS
44201	014	INSTRUMENTAL	ULTRA VIOLET
44201	019	INSTRUMENTAL	ULTRA VIOLET
44201	047	INSTRUMENTAL	ULTRA VIOLET
44201	187	Instrumental	Ecotech Serinus 10

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
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PQAOS USED IN THIS REPORT

PQAO	AGENCY DESCRIPTION
0481	Hawaii State Department Of Health

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
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Jan. 6, 2014

CERTIFICATION EVALUATION AND CONCURRENCE FLAG MEANINGS

FLAG	MEANING
M	The monitoring organization has revised data from this monitor since the most recent certification letter received from the state.
N	The certifying agency has submitted the certification letter and required summary reports, but the certifying agency and/or EPA has determined that issues regarding the quality of the ambient concentration data cannot be resolved due to data completeness, the lack of performed quality assurance checks or the results of uncertainty statistics shown in the AMP255 report or the certification and quality assurance report.
S	The certifying agency has submitted the certification letter and required summary reports. A value of "S" conveys no Regional assessment regarding data quality per se. This flag will remain until the Region provides an "N" or "Y" concurrence flag.
U	Uncertified. The certifying agency did not submit a required certification letter and summary reports for this monitor even though the due date has passed, or the state's certification letter specifically did not apply the certification to this monitor.
X	Certification is not required by 40 CFR 58.15 and no conditions apply to be the basis for assigning another flag value
Y	The certifying agency has submitted a certification letter, and EPA has no unresolved reservations about data quality (after reviewing the letter, the attached summary reports, the amount of quality assurance data submitted to AQS, the quality statistics, and the highest reported concentrations).

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